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# CALCUTTA REVIEW.

DECEMBER 1861.

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- ART. I.—1. *Considerations on Representative Government.* By John Stuart Mill. London: Parker, Son & Bourn. 1861.  
2. *Constitution of United States of America, Framed by convention of Delegates from New Hampshire, &c. &c., at Philadelphia, September 17th, 1787.* New York.  
3. *Constitution of Confederate States of America.*

THE indifference of Anglo-Indians to ordinary party politics, which excite such interest amongst their country-men at home, is a peculiarity which invariably strikes the attention of Europeans newly arrived in a country where almost everything is strange. A change of Ministry involving a change of the Secretary for India—an Amalgamation Bill destroying the hopes, plans and prospects of hundreds—or a Civil Service Bill hailed by some as a breaking down of a pernicious monopoly, stigmatized by others as a breach of covenant and a cloak for jobbery ;—such matters as these excite interest and become the subject of conversation, though rarely of discussion. But political questions unconnected with India, however important, not to Englishmen or Europeans only, but to mankind—questions of Parliamentary Reform, of Free Trade, of Tariffs, and such like—awaken but little interest in Anglo-Indian circles. When broad questions of Government in general are discussed—the principles of true or false democracy, the most beneficial distribution of political power between the Crown and consultative or legislative Chambers, unity or duality of Houses, whether the Head of the executive should be elective or hereditary, and such like, which form the subjects of Mr. Mill's latest work—still more rarely do we find even the most transient attention bestowed upon them by the great majority of Europeans in India either official or unofficial. We almost feel as if we owed some apology

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for intruding upon the notice of the Indian reader a work in which such questions form the main subject of discussion, and India is introduced but casually and secondarily. Let our excuse then be, that India appears to have been in the author's mind while writing more than one passage in which she is not directly named; and that the final chapter is chiefly devoted to the consideration of Indian government. And further; all who are interested in the welfare of India, must, for obvious reasons, watch with anxious attention the great struggle which is advancing so slowly in America. It is strange but true, that to many this deplorable contest seems a proof of the unsoundness of democratic institutions—'the bursting of the Republican bubble' as one sage of the Imperial Parliament expressed it 'in his place', receiving for his flippant ignorance the rebuke he merited. It is strange we repeat that Englishmen whose present liberties were won and consolidated by fierce and even bloody contests—the so called 'Great Rebellion,' the Revolution of 1688 and we may almost add the Reform Bill struggle of 1832—should point to the present struggle between Northern Democracy and Southern Aristocracy as a disgraceful failure of Republican institutions. It is but the fiery purifying, through which England herself had to pass in her march to her present proud position as one of the freest of the nations of the earth. From it Democracy in its purest, truest sense will emerge triumphant, as Civil and Religious freedom in England have emerged from her internal contests. But since the fact is undeniable that many do connect the present contest with the existence of republican institutions, let us hope that a brief statement and examination of the views of one of the greatest political thinkers of England upon Democracy and kindred subjects, will be read with patience by our Indian friends: and that the weight of Mr. Mill's authority will induce some at least to examine the grounds of the Anti-Democratic opinions which they hold; and to modify or reject such as may be found to be unsound.

It is conceded on all hands that Mr. Mill is at least worthy of a hearing. However shocking some of his views may appear to those who have insensibly imbibed, from childhood upwards, feelings of horror of democracy, or republicanism, without attaching any very definite ideas to these formidable words; or to others, who, with true insular self-complacency, regard English institutions as having already attained perfection, and believe that any change must be for the worse, Mr. Mill's views, speculations and suggestions are nevertheless worthy of attentive examination. All of us have opinions which have grown with our

growth, which have been so intimately blended with our mental constitutions that we have come to regard them as axiomatic—as primary intuitions of the human mind—and to doubt the possibility of other men differing from us in these points, unless over-clouded by ‘invincible ignorance,’ or blinded by self interest or impregnable prejudice. It is not of theological opinions only that this is true. In politics too we often need free discussion, open statement and honest examination of opponents’ views, with a full statement of the arguments adduced in their support, in order to impress upon our minds Bp. Butler’s simple but important caution—to remember that we differ from others, as much as they from us. There are no questions the free discussion of which is not beneficial to the fully developed and educated mind. Free discussion of views opposed to our own, and honest examination of the grounds on which our own are based, alone can give us true liberality of spirit; eradicating that narrowness of mind to which the best of us are prone, which sees no cogency in an opponent’s arguments, or weight in his opinions; and saving us from the dead level of uniformity of unquestioned opinions, the tendency to which in the present age Mr. Mill laments in his work on Liberty.

We propose in the following pages to lay before our readers, some of those views of Mr. Mill which are contained in his work on Representative Government; selecting those which appear to us most important to be known and discussed. Our object is to lay before readers, who have neither leisure nor inclination to read the work themselves, the principal opinions put forward after mature deliberation by a veteran logician and political thinker. We could scarcely find, in the whole range of English literary men, one more competent to teach; or one whose opinions, if we cannot accept, we can less venture to condemn. On Indian subjects, more particularly, few politicians, if any, are so worthy of an attentive hearing. A certain cynical member of the London press, not addicted to praising any one (except, perhaps, the house of Orleans, and Mr. Charles Kean), and not to be suspected of participation in Mr. Mill’s political opinions, informed us, some months ago, that he ‘is one of those few persons who are able to do a service to their country simply by discussing the subjects in which they are interested. Apart from the value of the opinions he expresses, the mere fact that Mr. Mill chooses to express an opinion on any matter of public importance is sure to turn the attention of a large body of readers and thinkers to the topic which he has selected.’

Having, in his First Chapter, laid down and examined ‘the



'three fundamental conditions of the adaptation of forms of government to the people who are to be governed by them,' viz.—that 'the people for whom the form of government is intended must be willing to accept it, or at least not so unwilling as to oppose an insurmountable obstacle to its establishment;' that 'they must be willing and able to do what is necessary to keep it standing;' and that 'they must be willing and able to do what it requires of them to enable it to fulfil its purposes;' Mr. Mill proceeds to inquire into the 'criterion of a good government.' Rejecting as illogical the division of the objects of government into the two heads of order and progress, (or Coleridge's Permanence and Progression)—pointing out that 'the agencies, which tend to preserve the social good which already exists, are the very same which promote the increase of it, and *vice versa*: the sole difference being, that a greater degree of those agencies is required for the latter purpose than for the former'—(p. 21): that 'it holds, universally, that when Order and Permanence are taken in their widest sense, the requisites of Progress are but the requisites of Order in a greater degree; those of Permanence merely those of Progress in a somewhat smaller measure,' (p. 24)—he concludes that the 'best government is that which is most conducive to Progress.' Further on he establishes a 'two-fold division' of the merit which any set of political institutions can possess. It consists partly 'of the degree in which they promote the general mental advancement of the community, \* \* \* and partly of the degree of perfection in which they organize the moral, intellectual and active worth already existing, so as to operate with the greatest effect on public affairs.' (p. 33)

While the latter of these two objects of government varies comparatively little in the various stages of civilization, which a people may have attained, it is far otherwise with the former. Institutions having for their object the training and intellectual advancement of the people themselves must differ radically, according to the actually existing degree of civilization. Mr. Mill regards the partial recognition of this truth by politicians of the present day as an important point of superiority over their predecessors. But its recognition is, we fear, still very partial. There still prevails amongst Englishmen, though of course, in an inferior degree, the same conviction, which stimulated the fierce propagandists of republican principles in the first French Revolution, that their own political institutions are of universal applicability; and that it is almost a sacred duty to bestow upon other people, however unfitted for them by the stage of civilization

they have reached, or by previous habits, either of turbulence or of passive obedience, a form of government as similar as possible to that which they themselves possess, and under which they have themselves grown great and free. It is not so very long ago, as to be foreign to the questions of the present day, since political institutions unfitted to the people were bestowed upon the Ionian Islands: and the consequence has been an utter mockery of the forms of representative government, and the attachment of the discredit which must always accompany inconsistency, political or personal, to the giver of institutions which have been nullified in practice. Other instances might be adduced. In India we have heard of 'representation,' in connexion with changes in the constitution of the councils; and Lord Canning's new Peripatetic council is supposed to supply 'representation' of native interests, as well as of those of unofficial Europeans. It is scarcely necessary to remark that with regard to our Indian fellow subjects such representation is altogether illusory: except in name it bears no resemblance to genuine representative government. That the people of this country are as yet unfitted for representative institutions, and evince neither aptitude nor desire for them, is unquestionable. That there exists not the slightest intention on the part of the ruling power to bestow them, and that such concession would in the existing stage of civilization be mischievous in the extreme, are also facts which few will question. But it is equally indubitable that it is a sacred duty of the Governing Power so to govern the subject people as to train them gradually to be capable of governing themselves. 'The one indispensable merit of a Government,' says Mr. Mill, 'in favour of which it may be forgiven almost any amount of other demerit compatible with progress, is that its operation on the people is favorable, or not unfavorable, to the next step which it is necessary to take, in order to raise themselves to a higher level.' Does our system of Government in India possess this 'indispensable merit'? Is there any intention or the faintest wish on the part of the rulers of India, to train her people to self-government, and then to abdicate their functions and resign their power into the hands of their former subjects? Is there any genuine desire to elevate the native to a higher political level? We fear these questions must receive a negative reply. It may not be uninteresting to quote, from this chapter, Mr. Mill's emphatic refusal to admit two of the most prominently urged pleas in favour of modern slavery; namely, that it is necessary to the civilization of the negro, and that its effects upon the master are ennobling. Conceding that 'personal slavery,

'by giving a commencement to industrial life, and enforcing it as the exclusive occupation of the most numerous portion of the community, may accelerate the transition to a better freedom than that of fighting and rapine;' he adds, 'it is almost needless to say that this excuse for slavery is only available in a very early state of society. A civilized people have far other means of imparting civilization to those under their influence; and slavery is, in all its details, so repugnant to that government of law which is the foundation of all modern life, and so corrupting to the master-class, when they have once come under civilized influences, that its adoption under any circumstances whatever in modern society is a relapse into worse than barbarism.'

In the course of his remarks upon, and illustrations of the principle that different stages of civilization and political advancement require different institutions in order to enable them to advance another step in the ascent to the ideally perfect system of government, Mr. Mill, as it appears to us, states somewhat too broadly certain propositions relative to the capacity of slaves for self government and political progress. 'It is the characteristic of *born slaves*' he says, 'to be incapable of conforming their conduct to a rule, or law. They can only do what they are ordered, and only when they are ordered to do it. \* \* \* A despotism, which may tame the savage, will only confirm the slaves in their incapacities. Yet a government under their own control would be entirely unmanageable by them. Their improvement cannot come from themselves, but must be super-induced from without.'

We do not think that the meagre materials which we possess for forming an opinion as to what slaves may be politically capable of, will fully bear out these and other similar propositions laid down by our author. Meagre indeed are the materials for a judgement on the question. From the history of ancient slavery in Greece and Rome we can learn nothing. There is no analogy between it—where the slave, most frequently a prisoner of war, was intellectually and morally the equal, and not seldom the superior of the master—and the modern institution where the slave is naturally and artificially below the master's intellectual level. The known advance in prosperity and intellect of 'born' slaves, escaped, are beside the question; for they are brought into immediate contact and competition with a superior race. So far as we are aware, we have only the cases of Liberia and Hayti, from which to deduce conclusions as to the political capacities of slaves thrown entirely or principally upon their own resources. What little we know

of the former is decidedly favorable to the capacity for self-government in slaves, and those for the most part 'born' slaves.

The servile insurrection in Hayti, begun in 1791, and brought to a successful termination under Toussaint L'Ouverture in 1803 seems to us decisive in favour of our view. Jean François, the leader of the negro insurrection, described as a man of 'vast penetration' was a born slave. Toussaint L'Ouverture, François' lieutenant, scarcely surpassed, as a general and an administrator, by any man of his age, whose military genius won the independence of his country, and whose civil administration raised her to a condition of the highest prosperity, was also born and bred a slave. The secret of the terrible conspiracy for the utter destruction of all the whites, and the establishment of an independent negro republic, kept with a fidelity to which there is no parallel in history, proved extraordinary powers of combination and self-restraint in the conspirators, two most important ingredients in the capacity for self-government, and political advancement. The burning of Cape Town by the negroes, to prevent the French from deriving any benefit from its occupation, has been not inaptly compared to the conflagration of Moscow by its patriotic inhabitants, with a similar view. The gallantry of the resistance of L' Ouverture and his black army to an overwhelming force of French has rarely been surpassed by free-born citizens fighting for long established liberties. The atrocities which stained the progress of the negro bands were not unrivalled by the bloody deeds of their white and 'civilized' enemies—nor, alas! did they much surpass the cruelties which our own day has seen on both sides of a bloody contest, in which no quarter was asked or given. We may add that Soulouque, who abdicated the Empire of Hayti, in favor of General Fabre Giffard in 1858, and who had during a reign of nine years displayed no mean talents as a general, and as a civil administrator (notwithstanding his ridiculous creations of Dukes of Lemonade, Marmalade, and so forth), was also a born slave.

From the principle that a good Government should not only administer rightly such of the affairs of the governed as properly come within its sphere, (what these are is discussed farther on), but should also educate the people in political duties, and promote their intellectual, moral and active advancement, by causing them to manage, as far as is expedient, their own affairs, and to take a lively interest in those things which it is advantageous should be done by Government, it logically follows that the rule of a 'good despot,' if such could be secured, is *not* the 'ideally best form of Government.' It is we think, impossible

not to agree with Mr. Mill in his opinion, that to suppose the management of the entire affairs of a mentally passive people by one man of super-human mental activity, to be the best form of Government, is a 'radical and most pernicious misconception of what good Government is.' It is an error by no means uncommon even among politicians who have devoted some thought to questions of Government; that it is an error, however, and a pernicious one too, is unquestionable in the case of a country at all advanced in civilization. To peoples in certain early stages of political existence despotic government alone is applicable; and a good despot must be superior to a bad one, for both objects of Government. But in a country which has made any advance in civilization and political development, neither of the propositions just stated as applicable to certain backward conditions of a people can be maintained. 'Evil for evil, a good despotism, in a country at all advanced in civilization, is more noxious than a bad one, for it is far more relaxing and enervating to the thoughts, feelings and energies of the people. The despotism of Augustus prepared the Romans for Tiberius.' (p. 53).

The 'ideally best polity' then is not a despotism, administered by a being of extraordinary, wisdom, energy and benevolence. It is, on the contrary, that in which every citizen, firstly, has a voice in the exercise of the sovereignty, and secondly, is 'called on to take an actual part in the Government, by the personal discharge of some public function, local or general,' such as by being members of a municipality or sitting on juries. This conclusion, however, requires to be qualified by being restricted to the 'circumstances in which it is practicable and eligible.' It is not practicable or eligible in all states of civilization.

Before leaving Mr. Mill's third chapter we have two or three brief remarks to make.

From the proposition that 'each is the only safe guardian of his own rights and interests,'—an elementary maxim of prudence—'it would seem to follow that the suffrage is the right of every citizen. The claims of all to participate in the sovereign power' is, in Mr. Mill's view undeniable. And yet in chap. x. Mr. Bright and his school of democrats are taken to task for maintaining that the franchise is a 'right, not a trust.' (p. 191). There appears to us to be an inconsistency here. 'No man,' says Mr. Mill, in the latter passage, 'can have a right (except in the legal sense) to power over others: every such power, which he is allowed to possess, is morally in the fullest force of the term a trust. But the exercise of any political function, either as an elector or as a representative, is

'power over others.' But surely a man may have a *right* to as much power over others as others have over him; or to as much as is necessary for the protection of his own interests against the power of others. Nor does there seem to us to be the opposition between a '*right*' and a '*trust*,' which is implied in this passage, and in the ordinary discussions upon the subject.\* A man may have a right to the franchise and yet his exercise of it may be a trust. 'If it is a right,' says Mr Mill, 'how can we blame a man for selling it?' But there are restrictions upon the exercise of every right. A man may, generally, 'do what he likes with his own,' but he may not set fire to his own house if it stands between two others, not his own. The exercise of his right over his own property is restricted by moral and legal considerations—is, in a certain sense, a trust for the public benefit. The franchise may also, in the same way, be without inconsistency, both a right and a trust.

We cannot agree with Mr. Mill in his optimist view that 'communism would even now be practicable amongst the *élite* of mankind, and may become so among the rest' (p. 55). If the former part of the proposition be in any sense admissible, the term *élite* must be so restricted in its application as to include very few individuals. There is no combination of circumstances existing at the present day so favorable; by many degrees, to communism as was the condition of the early Christians. Communism will never again have so fair a trial as it had when 'as many as were possessors of lands or houses sold them and brought the prices of the things that were sold, and laid them down at the apostles' feet, and distribution was made unto every man according as he had need.' 'But a certain man named Ananias, with Sapphira his wife' succeeded in proving the inapplicability of the system even to those who must be regarded as having been the '*élite* of mankind,' considered with reference to the moral qualities essential to the practice of Communism.

Similar optimism appears in the following passage. 'We, need not suppose that when power resides in an exclusive class, that class will knowingly and deliberately sacrifice the other classes to themselves.' Instances will occur to the mind of every one of legislation in which it is obvious that there was something more (and worse) than the mere 'overlooking of the interest of those excluded' from political power and opportunity of representing their view of the case. The atrocious Penal Laws; the systematic sacrifice of Irish to English interests real or supposed, by the English Crown and Parliament; the maintenance of the Corn Laws by the agricultural interest; the Game

Laws still unrepealed; the refusal of any security for 'tenant right' by a parliament from which tenant farmers are practically excluded; are but a few out of many examples. The suggestion by wealthy natives of this country that a poll-tax should be substituted for the Income-Tax shows the feeling, co-extensive with human nature, from which 'class legislation' springs: and proves that there is no necessary connection between selfishness and the development, greater or less, of the pigmentary layer of the human skin. May we take another example from India in the proposal to exempt the Civil Service from the pre-Wilsonian Income-Tax? Or shall we accept the explanation, rather diffidently offered, of so extraordinary and suspicious a proposition?

Nor does Mr. Mill believe that the classes which do participate in the government have in general any intention of sacrificing the working classes to themselves; although he admits that 'they once had that intention; witness the persevering attempts so long made to keep down wages by law.' It is not very long since the ten hours Factory Bill was bitterly opposed by the mill owners, because it was supposed to be detrimental to their own interest, not on politico-economical principles on which is based the disapprobation of such measures by writers in the Westminster Review and others. Recent investigations into branches of manufacture not affected by the ten hours Bill have shown the necessity of extending it or similar protection to other victims of trade. We shall be agreeably disappointed if such a measure is allowed to pass without strenuous opposition, on self-interested grounds alone, from the 'masters.'

Mr. Mill's discussion of the cases in which representative government is inapplicable, (chap. IV.) need not detain us long. No one doubts that representative institutions are applicable to England and those of her colonies into which they have been introduced. It is equally certain that they are *not* applicable to this country, in its present condition. One passage we shall quote, in which though India is not named, she would seem to have been present to the writer's mind.

'The case most requiring consideration in reference to institutions is the not very uncommon one, in which a small but leading portion of the population, from difference of race, more civilized origin or other peculiarities of circumstances, are markedly superior in civilization and general character to the remainder. Under these conditions government by the representatives of the mass would stand a chance of depriving them of much of the benefit they might derive from the greater civilization of the superior ranks: while government by the representatives

'of those ranks would probably rivet the degradation of the multitude, and leave them no hope of decent treatment except by ridding themselves of one of the most valuable elements of future advancement. The best prospect of improvement for a people thus composed is in the existence of a constitutionally unlimited, or at least a practically pre-ponderant, authority in the chief ruler of the dominant class. He alone has by his position an interest in raising and improving the mass, of whom he is not jealous, as a counterpoise to his associates of whom he is. And if fortunate circumstances place beside him, not as controllers but as subordinates, a body representative of the superior caste, which by its objections and questionings, and its occasional outbreaks of spirit, keeps alive habits of collective resistance, and may admit of being, in time and by degrees, expanded into a really national representation \* \* \* the nation has then the most favorable prospects of improvement which can well occur to a community thus circumstanced.' (pages. 81 82).

With little change we think this passage is applicable to the past and present government of India. Substituting for 'chief ruler' the collective Civil Service, and taking the unofficial European community, (including, of course, the newspaper press), as the 'body, representative of the superior caste' &c, we have a tolerably accurate representation of the Anglo-Indian Government.

The chapter on the proper Functions of Representative Bodies is one of the most important in the book. We shall briefly notice some of its leading points and practical suggestions.

First, then, the admirably exact balance of power among three constituent forces, for which the British constitution is popularly lauded, does not, and cannot exist. 'The power of final control is as essentially single, in a mixed and balanced government, as in a pure monarchy or democracy,' (p. 86): and in the British Constitution the House of Commons is 'the real sovereign of the state.' By the letter of the constitution, Crown, Lords, and Commons each possess unlimited power of obstructing all the business of government. 'Nominally, therefore, each body is invested with equal power of thwarting the others;' and so far the equilibrium is exact. But this possibility of obstruction is effectually over-ruled by the 'unwritten maxim of the constitution—in other words, the positive political morality of the country.' This, for instance, renders it impossible for the Crown to retain a Minister who is unsupported by a majority of the House of Commons, although there is no obstacle in the letter of the constitution. This rendered possible not long since, to the surprise of many, the exercise



of a dormant power in the House of Lords to reject a money-bill which had passed the other house: and the same 'constitutional morality' will probably prevent the repetition of the experiment: for the national conscience in matters political is susceptible of modification—of increased refinement or of deterioration. The unwritten rules which may be said to constitute it are 'only effectual, and maintain themselves in existence 'on condition of harmonizing with the actual distribution of real 'political strength.' As therefore the latter changes, so will the national views of constitutional morality.

Secondly, Mr. Mill strongly condemns the tendency of representative bodies to interfere more and more in the details of administration. It is their proper function to control the performance of these details, not themselves to do the business of Government. It is theirs to deliberate and discuss, 'to secure 'hearing and consideration to many conflicting opinions.' But their interference in details of administration, however well meant, is almost always injurious. In regard to them their duty is 'not to decide them by their own vote, but to take care 'that the persons who have to decide them shall be the proper 'persons.'

Thirdly, 'it is equally true, though only of late and slowly 'beginning to be acknowledged, that a numerous assembly is as 'little fitted for the direct business of legislation as for that of 'administration' (p. 97). We have little hope that the House of Commons will ever be induced to give up the privilege which they now enjoy, and of which they freely avail themselves, of tinkering at the Statute Book. Nor is the mischief confined to the Lower House. It is not long since we saw a measure of the utmost importance to the commercial world—the consolidation and amendment of the Bankruptcy Laws—ruthlessly mangled, before its parents' eyes, by the House of Lords\* to whom Mr. Mills attributes, we think justly, less fondness for meddling, and better practice in the matter of legislation, than to the Commons. Instances of the mischief and absurdities resulting from the present system of legislation might be specified to an extent sufficient to convince and convert any people less conservative of anomaly than the English. Clauses interpolated and amendments carried in thin and weary houses, rendering the Act nugatory or self-contradictory, and requiring an amending

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\* We may observe in passing that the interference of the House of Lords in this case has not been without suspicion of having been dictated by class-feelings.

At next session, are not unusual results of House of Commons legislation. The case is well known in which the punishment attached to some crime was 'amended' from fine to imprisonment, (or whipping,) while the succeeding clause awarding 'half the amount' to the informer remained unchanged. Nor is the time wasted in the discussion and re-discussion of every separate clause in a 'miscellaneous assembly,' consisting of sciolists and the absolutely ignorant as well as of the learned in law, and conceding to all three classes, equally and alike, unlimited power of speech-making, the least evil of the present system.

The main features of Mr. Mill's proposed remedy for it may be stated in a few words. All Bills should be prepared by a commission of legislation, the members to be appointed by the Crown, for a term of five years, unless removed for personal misconduct, or refusal to draw up a Bill ordered by Parliament. Either house should have power to accept, reject, or send back to the commission a Bill; but not to alter it. It is difficult to conceive any objection to this plan, and impossible not to see the immense advantages which would result from its adoption. The appointment of a Legislative Member in the Indian Legislative Council has amply illustrated by its results the benefit of entrusting the preparation of Bills to trained professional lawyers: and this is an example which our readers will, perhaps, more fully appreciate than Mr. Mill's instance of the Athenian Nomothetæ.

We must now leave this important chapter after briefly pointing out Mr. Mill's opposition to a loud and frequent cry of the present day, that there is too much 'talk' in Parliament.

'I know not,' he says, 'how a representative assembly can more usefully employ itself than in talk, when the subject of talk is the great public interests of the country, and every sentence of it represents the opinion either of some important body of persons in the nation, or of an individual in whom some such body have reposed their confidence. \* \* \* \* Such "talking" would never be looked upon with disparagement if it were not allowed to stop "doing," which it never would if assemblies knew and acknowledged that talking and discussion are their proper business, while *doing*, as the result of discussion, is the task not of a miscellaneous body, but of individuals specially trained to it: that the fit office of an assembly is to see that those individuals are honestly and intelligently chosen, and to interfere no further with them, except by unlimited latitude of suggestion and criticism, and by applying or withholding the final seal of national assent.' (p. 105-6.)

Having vindicated representative government from the supposition of essential inferiority to 'simple monarchy' in energy, and to aristocracies in steadiness and prudence—in the latter case by pointing out that the aristocracies 'which have been remarkable in history for sustained mental ability, and vigour in the conduct of affairs' have been really bureaucracies—Mr. Mill compares representative democracy with bureaucracy, as regards the intellectual attributes of the two forms of government. The result is, on the whole, unfavorable to the latter, even after the admission that it 'has in some important respects, greatly the advantage.' We experience, in this country, some of the disadvantages of bureaucratic government, and can appreciate the remark that 'the disease which afflicts' such Governments, 'and which they usually die of, is routine.' Russia and China are cited as striking examples. The necessity of 'an outside element of freedom to enable' a bureaucratic Government 'to do effectually or permanently even its own business' and its powerlessness to do other things which a free Government can do, are shown. We then come to an examination of the evils likely to result in a representative system of government from preponderance of interests more or less conflicting with the public good.

That this cause is the source of most of the evils incident to monarchical and aristocratic governments—that the monarch or the aristocracy has interests opposed to those of the community and will rule so as to promote them—is undeniable. But it is equally certain, though not, perhaps, equally apparent, or equally universally admitted, that democracy in its false, but most ordinary sense—government by the numerical majority—is by no means free from similar injurious influences. It is more than possible that class interests may preponderate to such a degree as to overwhelm 'impartial regard for the interests of all.'

'One of the greatest dangers, therefore of democracy, as of all other forms of Government, lies in the sinister interests of the holders of power; it is the danger of class legislation, of government intended for, (whether really effecting it or not) the immediate benefit of the dominant class, to the lasting detriment of the whole.' (pp. 127-8). The security against this great evil would be that no class, and no combination of classes likely to combine shall be able to exercise a preponderant influence in the government.'

This security can be provided only by the REPRESENTATION OF MINORITIES.

It will be startling to many to hear, on Mr. Mill's authority, that there is not at present any example of 'democracy,' in its

only proper sense. The distinction between true and false democracy cannot be too frequently or forcibly impressed upon the public mind. The ordinary objections to democratical government are applicable only to the latter. It is difficult to understand how any politician, unblinded by inveterate prejudice or class interest, can object to the former, at least in its theoretical expression, however he might differ from others in his opinion upon the best way of working out the theory into practice. The vitally important distinction between true democracy and its spurious representative—the disfranchisement of minorities constituting the essential vice of the latter—cannot be more briefly or forcibly stated than in the following passages from Mr Mill's seventh chapter.

‘Two very different ideas are usually confounded under the name democracy. The pure idea of democracy, according to the definition, is the government of the whole people by the whole people, equally represented. Democracy, as commonly conceived and hitherto practised, is the government of the whole people by a mere majority of the people, exclusively represented. The former is synonymous with the equality of all citizens; the latter, strangely confounded with it, is a government of privilege, in favor of the numerical majority, who alone possess practically any voice in the State. This is the inevitable consequence of the manner in which the votes are now taken, to the complete disfranchisement of minorities.’ (pp. 131-2.) ‘In a really equal democracy, every or any section would be represented, not disproportionately, but proportionately. A majority of the electors would always have a majority of the representatives; but a minority of the electors would always have a minority of representatives.’ (p. 133). ‘Now nothing is more certain than that the virtual blotting out of the minority is no necessary or natural consequence of freedom; that far from having any connexion with democracy, it is diametrically opposed to the first principle of democracy, representation in proportion to numbers. It is an essential part of democracy that minorities should be represented. No real democracy, nothing but a false show of democracy, is possible without it.’ (P. 137-8).

Such are our author's opinions upon this important subject. Our readers can judge of their soundness for themselves. The means by which the required representation of minorities may be secured we cannot now discuss. Suffice it to say that Mr. Hare's plan, (which has obtained Mr. Mill's unqualified approbation), appears perfectly feasible and capable of fully effecting its object. Let us add that this or a similar measure is eminently

worthy of conservative support. The time is probably not far distant when the only alternative to such fair and equal representation of, and government by all, will be government by the numerical majority. We see and do not admire, the consequences of the latter in the United States. We cannot but fear that in this matter delay is dangerous. Extension of the suffrage in England is ultimately inevitable; however long it may be staved off by the 'governing classes.' Every step in this direction has obviously a tendency to substitute the 'class ascendancy of the poor for that of the rich.' We agree with Mr. Mill in believing that this class ascendancy is not at present desired by the working classes of England, and that they 'would as yet be content with protection against the class legislation of others, without claiming the power to exercise it in their turn.' But how long such moderation may continue, none can tell. And let it be remembered that in matters of franchise, and admission to political power, retrogression is impossible. Once let the 'numerical majority' in England bear sway, as they do in the United States, and nothing (short of a bloody revolution) can wrest their power from their hands. Security against this calamity would be cheaply purchased by concession of equal representation to all.\* It is the only price and should be quickly paid. Given, then, a constitution in which minorities were fairly represented, and government by the numerical majority, or by class interests, should be almost, or quite, impossible. 'Mr. Mill would bestow the franchise upon *every adult*, with some restrictions to be specified hereafter. Universal suffrage (the expression '*manhood* suffrage' is not, as we shall see, sufficiently comprehensive), would be based upon two considerations—the intellectual and moral improvement of the people by participation in political acts, and the fact that 'it is a personal injustice to withhold 'from any one, unless for the prevention of greater evils, the 'ordinary privilege of having his voice reckoned in the disposal 'of affairs in which he has the same interest as other people. If

\* In an article in the August number of *Fraser's Magazine*, on the *causes of the disruption of the American union*, an article as vituperative and virulently anti-American as the *Saturday Review*, so much so that the Editor felt himself compelled to disclaim participation in its views—the Representation of Minorities is opposed on the ground that the minority is already virtually effective, inasmuch as it countervails a number of the majority equal to itself! To give it more influence than it thus exerts would be to bring it forward into action a *second time*. Now it is clear that what either a majority or a minority wants is to have its wishes and opinions represented. Those of the majority are represented through the effective influence of their un-neutralised portion. Those of the minority are not represented at all.

'he is compelled to pay, if he may be compelled to fight, if he is required implicitly to obey, he should be legally entitled to be told what for; to have his consent asked, and his opinion counted at its worth, though not at more than its worth.'

On the latter ground for universal suffrage it is unnecessary to dwell. The 'greater evils' being *ex hypothesi* prevented, the principle involved must be conceded.

In proof of the former—that the exercise of political functions, and consequent discussion of political questions, are potent influences in the intellectual cultivation of a people—M. de Tocqueville's estimate of the American people is cited; his observation that every American is in some sense both a patriot and a person of cultivated intelligence, corroborated by the evidence of other travellers; and his demonstration of the close connexion between these qualities and the democratic institutions under which they live. 'No such wide diffusion of the ideas, tastes, and sentiments of educated minds, has ever been seen elsewhere, or even conceived of as attainable.'

We are merely giving an outline of Mr. Mill's views upon the extension of the Suffrage, as stated in his Eighth chapter, without adding comment or opinion of our own. It only remains to specify the restrictions, before alluded to, which our author would impose.

Firstly, none should vote who could not read, write and 'perform the common operations of arithmetic.' The opportunity of acquiring this moderate amount of education should be provided by society; and 'universal teaching must precede universal enfranchisement.'

Secondly, those who elect the men who vote the taxes, should themselves pay something towards the taxes imposed. Other exclusions separately specified by Mr. Mill would seem to be implied in this one. For instance, recipients of parochial relief should be peremptorily disqualified. The certificated bankrupts and insolvents until debts are paid, or satisfactory proof adduced of independence on eleemosynary support, are also excluded. Non-payment of taxes, not arising from inadvertence, should also disqualify. To the category of exclusion convicted criminals should, we presume, be added; though they are not mentioned by Mr. Mill explicitly, nor apparently included in any of his specified classes. We must not omit to notice that one class, comprising more than one half of the adult population, but, nevertheless, ruthlessly disfranchised by most even of the wildest democratic theorists, is *not* excluded from political power and privileges by Mr. Mill. We cannot pause to give a summary

of the arguments in favor of giving votes to women, equally with men. There will be to many minds, something ludicrous in the proposal, whether there be any justification for a smile or not. We shall only remark that it will be easier to laugh at the idea of extending the franchise to women, than to reply to Mr. Mill's arguments in its favor, or even to show that, though logically defensible, the thing is practically inexpedient. The latter is the line usually adopted by opponents when they condescend to consider the question as worthy of serious argument.

Plural voting, based, not upon pecuniary differences, but upon educational superiority, would form an essential constituent of Mr. Mill's electoral system. 'Superiority of influence in consideration of property' is, in his opinion, 'entirely inadmissible, unless as a temporary makeshift.' So-called superiority of birth would, we should suppose, be equally inadmissible, but our author does not say so, and elsewhere guards himself most carefully against the imputation of wishing to abolish the House of Lords as at present constituted. Property he admits to be a rough test of education; but believes in the possibility of approximately ascertaining different degrees of mental superiority, to which alone superiority in electoral influence should be conceded. In the absence of 'a really national education or a trustworthy system of general examination,' the nature of a person's education is some test. Thus, the unskilled laborer, the skilled laborer, the employer of labor, the tradesman, the banker, merchant or manufacturer, members of liberal professions or graduates of universities, may be supposed, from the nature of their respective employments, to possess different degrees of intelligence and would enjoy plurality of votes accordingly. It only remains to add 'that it is an absolutely necessary part of the plurality scheme that it be open to the poorest individual in the community to claim its privileges if he can prove that, in spite of all difficulties and obstacles, he is, in point of intelligence, entitled to them.' Such is Mr. Mill's plan for giving due weight to education and mental superiority. Although the principle of plural voting has been sanctioned by practice in some cases of local taxation—the plurality being, however, dependent upon the amount of tax paid by the voter—we cannot think that there is any probability of Mr. Mill's, or similar, suggestions being acted on. Educational and mental superiority must rest content with the influence which the cultivated mind exercises over the uncultivated, and the partial representation of the Universities.

The question discussed in the ninth chapter—whether there should be two stages of election; that is, whether the people should elect electors who should choose the members of Parliament—appears to us to be completely disposed of by the conspicuous failure of the system in one remarkable instance. Article II. Sect. 2. of the Constitution of the United States thus provides for the election of the Federal President.

‘Each State shall appoint, in such manner as the Legislature thereof may direct, a number of Electors, equal to the whole number of Senators and Representatives to which the state may be entitled in the Congress; \* \* \*’

These Electors are now, in all the states, as our readers are aware, chosen directly by the people. Their mode of electing the President and Vice-President of the union is thus laid down in the Amendments to the constitution, Article XII.

‘The Electors shall meet in their respective States, and vote by ballot for President and Vice-President \* \* \*; and they shall make distinct lists of all persons voted for as President and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign, and certify, and transmit, sealed, to the seat of the Government of the United States, directed to the President of the Senate; the President of the Senate shall in the presence of the Senate and House of Representatives open all the certificates and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then, from the persons having the highest numbers not exceeding three, on the list of those voted for as President, the House of Representatives shall choose, immediately by ballot, the President. \* \* \*’

The evident object which the framers of the constitution had in view, in devising this somewhat complicated machinery for the election of the President, and Vice President, was to interpose a select body of Electors between the people and the actual choice of the President. The Electors were, not only nominally, but really to choose, according to the best of their judgement, the most eligible of those who had offered themselves as candidates to fill the highest offices of the Federation. But we know that this system has altogether failed in practice. The Electors are chosen, not on account of their supposed fitness to select the best of the candidates, but because they are pledged to vote for particular men—the pre-determined choice of the primary electors. The Presidential Electors for every state once known, the



future President and Vice-President are also known. The subsequent examination of the Electors' voting papers, and promulgation of the result of the election, on the fourth of March, are as unnecessary, and as complete a 'sham,' as the report of the choice of an English bishop by the Dean and Chapter, pursuant to the *congé d'élire*.

There is one case in which election by two stages is found practicable, and the result decidedly satisfactory. This is when the electors are not chosen solely or primarily for the purpose of the election, but perform the latter function in addition to other equally or more important duties. They are not, therefore, pledged to vote for any particular person or persons. The members of the United States Senate are thus chosen by the Legislatures of their respective states. It is found that this plan ensures the presence in the Senate of the ablest politicians that the country produces. It cannot be denied that the Senate contrasts most favorably with the House of Representatives, the product of direct popular election.

Another instance of secondary election occurs to us, which, we believe, works well in practice. The lower house, in the Norwegian constitution, selects (from its own body) the members of the upper chamber.

With regard to the mode of voting, considered in the tenth chapter, we shall say little more than that Mr. Mill is opposed to the ballot in the election of parliamentary representatives. He admits that cases may occur, and have occurred, in which vote by ballot would be, or would have been, the less of two evils. 'Thirty years ago,' he says, quoting from his pamphlet on Parliamentary reform, 'it was still true that, in the election of members of parliament, the main evil to be guarded against was that which the ballot would exclude—coercion by landlords, employers, and customers' (p. 195). We have no doubt that such coercion is still practised to a much greater extent than our author seems to suppose. This is especially the case in one part of the United Kingdom, where, in addition to landlord coercion, a still more pernicious influence than any of those particularised by Mr. Mill is systematically brought to bear upon the electors—the influence of a violent, illiberal, and politically uneducated clergy. Whether the ballot would be a remedy for this last evil or not, we cannot pause to discuss; but it would seem to be a case in which, on Mr. Mill's principles, secret voting would be not only admissible but desirable.

With regard to India, difficult as it is to conceive the people, or any large proportion of them, as capable of being entrusted

with the franchise, it is still more difficult to imagine them as exercising it without the ballot, or some other protection against external pressure.

Mr. Mill's 'decisive reason why the argument does not hold, 'from the use of the ballot in clubs and private societies to its 'adoption in parliamentary elections', does not appear to us at all conclusive. 'A member of a club is really' he says, 'what the 'elector falsely believes himself to be, under no obligation to consider the wishes or interests of any one else'. We think that the member of a private club is bound to consider the interest both of the club and of the other members. The difference between the two cases appears to us, if it exist at all, to be one, not of kind, but of degree. In the case of literary and scientific societies, in which the ballot is universally employed, without objection, the voter is most certainly under an obligation to consider more than his own wishes or interests. Surely the object for which the Society was instituted ought to take precedence of these in the voter's mind; the essential difference, therefore, between political voting and that of clubs and societies, which (according to Mr. Mill) renders the use of the ballot applicable to the latter, but inadmissible in the former, does not, we venture to think, exist. Other grounds there may be, for drawing a broad line of distinction between the two cases. We are neither advocating the ballot, nor arguing against it. It is not therefore our province to discuss the subject further. We are merely expressing our opinion that Mr. Mill's 'decisive 'reason' does not appear to us by any means decisive of the question.

The recently passed Universities Election Bill is neither mentioned nor alluded to by our author. Its principle—the permission to non-resident electors to vote by letter—receives emphatic condemnation. 'The proposal which has been thrown out,' (in connexion with Mr. Hare's scheme, which involves the use of voting-papers), 'of allowing the voting-papers to be filled up at 'the voter's own residence, and sent by post, or called for by a 'public officer, I should regard as fatal' (pp. 203-4). Perhaps Mr. Mill would allow an exception in the case of University electors, in consideration of their superior education, and consequent supposed inaccessibility to certain feelings and motives, which render publicity in giving a vote desirable as a general rule. Subsequently, in some remarks upon the subject of a Second Chamber, he allows the privilege of vote by proxy—another form of absent voting—to Peers, which he would not, we presume, concede to ordinary electors.

Passing over the chapters on duration of Parliaments, and on pledges, we come to that which treats of a Second Chamber, to which we propose to devote a little attention. The use of a Second Chamber in a political constitution would seem to be to fulfil one or more of the following objects: 1st, the representation of classes or bodies otherwise unrepresented; 2nd, the operating as a check upon ultra-democratic tendencies in the mere popular house; 3rd, the securing a second deliberation upon, and discussion of every question, and the consequent prevention of precipitancy; 4th, the gratification of a conservative feeling, (which some would call an 'instinct' and others a 'prejudice'), when a second chamber has existed for a long period, having at one time been useful, although now become inefficient; 5th, the representation of personal merit, as contra-distinguished from popular feeling—the constitution of a 'chamber of statesmen, a council composed of all living public men who have passed through any important political office or employment.' The last is Mr. Mill's notion of what an upper chamber ought to be, and we shall give presently, in greater detail, his views as to the proper constitution of such a house.

The typical example of a *representative* upper chamber is presented by the congress of the United States. The senate at Washington consists of members, two from each state; whether it be New York, which sends thirty-five members to the House of Representatives, or Delaware or Florida, which sends but one. The senators represent the states. We know of no other instance in which the upper House is purely representative of classes or interests which are not, or may not be, fully represented in the other branch of the Legislature.\* The English House of Lords is obviously not an instance of the kind.

Mr. Mill attaches little importance to the existence of a Second Chamber as a restraint upon the democracy. If the democratic feeling in the popular House be supported by the public feeling of the country—as it is sure to be if the House be really representative—an aristocratic chamber will be powerless as a check. He says:—'I cannot believe that in a really democratic state of society the House of Lords would be of any practical value as a moderator of democracy. The really moderating power in a democratic constitution, must act in and through the democratic House.' (p. 234). Nor, is a second chamber necessary in order to 'prevent precipitancy and compel

\* The Roman Senate was at first a purely elective and representative body. The Prussian Upper Chamber is partly composed of members representing 'the landed interests.'

‘a second deliberation; for it must be a very ill-constituted representative assembly in which the established forms of business do not require many more than two deliberations.’

We shall now give, as briefly as possible, an abstract of our author's suggestions for the composition of a senate after his own heart, ‘if the place were vacant;’ and for the grafting of an efficient upper chamber upon the present House of Lords, the absolute extinction of which he appears not to hope for and certainly does not expect. It would be a mistake to suppose that discussions or suggestions upon this subject are destitute of all practical interest. There are not wanting signs that the supineness, and neglect of public duty, of the House of Lords are beginning to attract attention and produce dissatisfaction in a people not disposed to be exacting in the case of their hereditary legislators. A recent instance in which youthful peers not previously known to enter their House, except for purposes of parade, mustered strongly at the crack of the party whip, to vote upon a question of whose merits they knew nothing, and about which they cared nothing—a question, moreover, which they decided in opposition to the deliberate opinion of the popular branch of the legislature—has done much to strengthen a growing feeling in the country that the House of Lords needs Reform, from which neither Crown nor House of Commons has escaped. The attempt to introduce life peerages, in the case of Lord Wensleydale, unfortunately unsuccessful, was an exponent of the prevalent opinion that the constitution of the hereditary House is capable of improvement. The following extracts from an article which appeared some months ago, in a journal whose leanings are anything but democratic, are even more important evidence of the fact that Reform of the House of Lords, if not imminent, is at least not very far distant; and that, consequently, consideration of the subject by statesmen, and suggestions by Mr. Mill, are not of merely speculative interest.

‘On ordinary nights,’ we are told, ‘the usual audience [in the House of Lords] will be about six—two ministers, two chiefs of opposition, a young peer who hopes to get a chance of speaking, and a Bishop meditating upon the approach of dinner-time. There is no kind of animal to which the Peers show such a determined and inflexible dislike as to a young member of their own body afflicted with a taste for public affairs. With one or two exceptions \* \* \* the succession of Peers is absolutely cut off, and the future eminence of the house depends entirely upon the recruits it receives from the House of Commons. [e. g. Lord Lyveden and Sir C. Wood?] The most pernicious

'alternative to which we can be reduced is that of a sham second chamber, itself only taking a perfunctory part in the business of legislation, and yet by its presence excluding the possibility of a more efficient substitute.'

Mr. Bright himself would scarcely describe the supineness and inefficiency of the House of Lords in severer terms than these, extracted from the columns of his relentless, and not unfrequently scurrilous, enemy, the *Saturday Review*.

The members of Mr. Mill's Senate, if the ground were clear to build upon anew—or the members whom he would add to the existing chamber, since 'any second chamber which could possibly exist would have to be built upon the foundation of the House of Lords'—would be as follows: the members of the Legislative Commission before described; heads and ex-heads of the superior Courts of Law and Equity; puisne Judges of five years standing; all who have held any Cabinet Office for two years; or who have been Commanders-in-Chief, or have been thanked by Parliament for military or naval services; Governors-General of India or British America, and Colonial Governors of ten years' standing; and all who had filled for ten years the offices of Under-Secretary to the Treasury, permanent Under-Secretary of State, or equally important appointments. 'The functions conferring the senatorial dignity should be limited to those of a legal, political, military or naval character, scientific and literary eminence are too indefinite or disputable.' We are not prepared to agree with our author in his exclusion of science, art, and literature from his proposed Senate. Any one could enumerate many such names as Owen, Faraday, Herschel, Tennyson, Brodie, Stokes, whose eminence is definite and indisputable. The Crown might have a limited power of nomination to the Senate, with the restriction of having to state officially the ground of each selection. The control of public opinion would ensure the nomination, as a general rule, of only really eminent scientific and literary men. Some bad appointments would doubtless be made; but we in India can conceive cases in which the elevation *ex officio* of 'Secretaries of State' to the upper chamber would add neither special knowledge nor political wisdom to Mr. Mill's model senate. It being 'out of the question to think practically of abolishing' the present house of Lords, Mr. Mill would add to it the members specified above, as life peers. He would go farther still in the way of reform, by admitting the hereditary peers only by representatives; as the Irish and Scotch peerages are now admitted, 'which the mere multiplication of the order will probably at some time or other render inevitable,' and he would apply to

the election of representative peers Mr. Hare's plan for ensuring the representation of minorities.

We have already casually mentioned that the Second Chamber in the Norwegian Constitution is elected by the other. Mr. Mill suggests this plan as 'another possible mode of forming a 'second chamber'; but adds the restriction 'that they should not 'nominate any of their own members.'

The body which Mr. Mill would construct, partly out of the present House of Lords, and partly of new and sounder material, would resemble, (one important point excepted) the Roman *Senatus* in its period of full development and most brilliant and successful administration. In it, certain high officials, who had been chosen to fill their offices by the people, were entitled to a seat when this term of duty had expired, unless disqualified by misconduct, and in consequence passed over, (*preteriti*) by the censors. These members corresponded to the proposed life peers, who would become members of the Chamber *ex-officio*: and, though not immediately, would be indirectly chosen by the people, either through the control of public opinion and the press, (as in the case, for instance, of Judges,) or by their representatives in the Lower House, who may be said to choose Secretaries of State and similar officials. Besides these *ex-officio* members, the censors filled up vacancies from the *Equites*, as the Crown creates Peers out of a corresponding rank, and with, apparently, as little restriction as is placed by public opinion in England upon the exercise of this prerogative of the Crown. The essential difference between the Roman and the reformed English Senate would be the hereditary principle, which could not readily be eliminated from the latter, while in the former the senators were merely 'peers for life.' The presence in the Chamber of members destitute of every qualification for their important office, would probably result as frequently from partiality on the part of the Censors or other selecting officers, in the Roman Senate, as it does from the hereditary principle in the British House of Lords. There would be a striking resemblance between the two senates, in composition and in results.

In many modern Second Chambers, (which, forming part of written constitutions, may almost be called 'artificial' in contrast with such bodies as the Roman Senate and English House of Lords, the result of growth and modification, through the course of centuries), the members are elected directly by the people, in the same way as the members of the lower House. The Senates of the several States, united to form the American Federation, are thus elected. In Canada, the province is divided into forty-eight sections, each of which returns one member to

the Upper House. One fourth of these are elected every two years, and the twelve go out of office at the end of eight years. This House, we may add, can neither be dissolved by the Governor-General, nor is it, like the lower Chamber, limited to an existence of four years. The Senate of the Spanish Cortes, which dates from 1845, is differently constituted. The members are all nominated by the Sovereign, who is, however, restricted in his choice to persons who hold, or have held, high offices in the state, and to the class of hereditary grandees whose annual income is not less than about £212, (30,000 reals). This Chamber seems to have been modelled after the Roman Senate.

At the risk of exciting a smile we shall bring forward one more example of a popularly elected second chamber; or perhaps we should rather call it an executive council. In that most amusing travesty of a 'free constitution,' which England, as bound by treaty, bestowed upon the 'protected' Ionian Islands, the Lord High Commissioner selects from the 40 members of the House of Assembly, a senate, or council, or rather Ministry of six. The House of Assembly, (which sits nominally for three months every second year, but has of late been in a state of chronic prorogation), is elected by the people, with the trifling restriction that the members must be chosen from a list sent to each Island previously to election—the list containing the names of those whom the Lord High Commissioner deems eligible as representatives. The reason naïvely given for this modification of popular election is, that if the Islands were left to themselves they would return none but deputies of the anti-English party, which would be troublesome to Government! But, as we know, even this ingenious device has failed to secure an 'English' House of Assembly.

Our waning space compels us to hurry over the remaining chapters of the work. We can only mention a few salient points and these chiefly with reference to India. It is impossible to read Mr. Mill's suggestions for Councils, to assist with their advice and special knowledge, 'the military and naval ministers, 'and probably several others,' without having the unfortunate Indian Council and the self-complacent sciolist who snubs it, brought forcibly to our minds. We commend the following passage to the attention of Sir C. Wood.\*

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\* It is eminently characteristic of this gentleman with whom we are at present afflicted, that while other Ex-First Lords of the Admiralty, examined by a parliamentary committee, spoke with more or less caution about the power which they were entitled to exercise in all Admiralty matters, he boldly declared that he, when First Lord, did just what he pleased! We can readily believe it.

'The Councils should be consultative merely, in this sense, that the ultimate decision should rest undividedly with the minister himself; but neither *ought they to be looked upon or to look upon themselves as cyphers, or as capable of being reduced to such at his pleasure.* The advisers attached to a powerful *and perhaps self-willed* man ought to be placed under conditions which make it impossible for them, without discredit, not to express an opinion, and impossible for him not to listen and consider their recommendations, whether he adopts them or not. The relation which ought to exist between a chief and this description of advisers is very accurately hit by the constitution of the Council of the Governor General and those of the different Presidencies in India' (pp. 246-7).

We cannot forbear quoting Mr. Mill's opinion upon the value of these Indian Councils. Some of our readers may think our author's praise excessive, and his view of the value of the 'traditions of Indian Government,' altogether unsound. The question can be decided by experience alone. We *may* be about to enter on a course of unbounded prosperity, with an absolutely perfect Army, Civil Service, and Judiciary under that papacea for all Indian ills—the 'direct government of the English Crown.' We *may* live to regard the destruction of the old Company, in spite of all its faults, (and they were many) as a measure hastily and inconsiderately suggested, accomplished by misrepresentation and fraught with jobbery, mismanagement and disaster. Time will tell. Meantime hear Mr. Mill.

'This mode of conducting the highest class of administrative business is one of the most successful instances of the adaptation of means to ends, which political history, not hitherto very prolific in works of skill and contrivance, has yet to show. It is one of the acquisitions with which the art of politics has been enriched by the East India Company's rule; and like most of the other wise contrivances by which India has been preserved to this country, and an amount of good government produced which is truly wonderful considering the circumstances and materials, it is probably destined to perish in the general holocaust which the traditions of Indian government seem fated to undergo, since they have been placed at the mercy of public ignorance, and the presumptuous vanity of political men. Already an outcry is raised for abolishing the Councils, as a superfluous and expensive clog on the wheels of government; while the clamour has long been urgent, and is daily obtaining more countenance in the highest quarters, for the abrogation of the professional Civil Service, which breeds the men that compose the Council, and the



'existence of which is the sole guarantee for their being of any value.' (p. 248.)

In this chapter, which is devoted to the consideration of the Executive in a Representative Government, the question of competitive examination for admission into the public service is discussed, or, perhaps, we should rather say, the popular objections to the system are answered, as it appears to us, conclusively. We regret that we cannot extract the whole argument, but must confine ourselves to one passage, referring to a matter which made some noise not long since in this country.

'We are next informed that book-worms, a term which seems to be held applicable to whoever has the smallest tincture of book-knowledge, may not be good at bodily exercises, or have the habits of gentlemen. This is a very common line of remark with dunces of condition; but whatever the dunces may think, they have no monopoly of either gentlemanly habits or bodily activity. Wherever these are needed, let them be inquired into, and separately provided for, not to the exclusion of mental qualifications, but in addition. Meanwhile, I am credibly informed, that in the Military Academy at Woolwich, the competitive cadets are as superior to those admitted on the old system of nomination in these respects as in all others; that they learn even their drill more quickly; as indeed might be expected, for an intelligent person learns all things sooner than a stupid one: and that in general demeanour they contrast so favourably with their predecessors, that the authorities of the institution are impatient for the day to arrive when the last remains of the old leaven shall have disappeared from the place.' (p. 263.)

We can ourselves state, from the experience of eight years' residence in a university, that the most successful and distinguished candidates for honors were, as a rule, fully equal, and frequently superior, to the 'dunces' in *physique*, and excellence in athletic sports.

The question of Nationality (Chap. XVI.) has little interest for us Anglo-Indians. It is very doubtful whether such a feeling exists among our native fellow-subjects. Attachment to creed or caste would seem to have taken its place. It is quite clear that the prevalence of a feeling of nationality coextensive with the Indian Peninsula, or even with one of our Presidencies would render the English tenure of India insecure, if not impossible. But all the generating causes of national feeling, enumerated by Mr. Mill, are, fortunately for the ruling power, absent in India. Identity of race and descent, community of language or religion,

well-marked geographical limits, the possession of a common national history, are in this case, wanting. It is true, as Mr. Mill remarks, that none of these is indispensable, or in itself sufficient, to create a feeling of nationality; but when all are absent national feeling can scarcely exist. Differences of race, creed and language have split up the people of India into sections, which may, at some future time, combine to form a Federation, but can never constitute a nationality. The attachment of the native to the village where he was born and bred is the undeveloped germ of patriotic feeling, which may hereafter make him a zealous Bengalee, Hindustanee, or Mahratta, but which will never expand so as to embrace the entire Peninsula.

When we speak of an Indian Federation as a possibility in the distant future, we mean a Federal Union of Native States, conferring upon all its members a common currency, a common official language, a common tariff for external commerce, and absolute freedom of internal trade. Of course it is necessary to suppose that the present paramount power had 'generously withdrawn; having fitted the Indian peoples for self-government,' or been driven out. This little condition fulfilled, we believe that a rude federation would be possible and beneficial in this country, between mutually independent native states, long before the people would be fitted for representative government. The German Bund is such a Federation of Sovereigns, meeting by representatives at Frankfort; but it has not conferred upon the German peoples the advantages which we have enumerated as the most obvious results of a federation.

While the English power governs India, another imperfect kind of federalism is possible, and would seem to be near at hand. Recent changes propose to give increased powers of self-government to the separate Presidencies and Lieutenant-Governorships. That this will be eminently beneficial we cannot for a moment doubt. It is the substitution of local government by those who necessarily know their own business best, for despotism, narrow-minded, centralised and over-worked, and just as little distinguished for those 'broad imperial views' of which we sometimes hear, as the minor Governments have ever been, or are ever likely to be.

Neither of these species of Federations can be considered as belonging to the class of genuine Federal Representative Governments, to which the XVIIth Chapter is devoted. Of such we know but two—the American and the Swiss—unless we add the new Confederate States to the number. And, indeed, a brief glance at the Federal constitution of the last may be neither

*uninteresting nor uninstructional; for it is, we believe, undeniable that the Southern states of the American Union have, since the establishment of the Federation, produced more and sounder statesmen than the North.* 1, 513

The authors of the Confederate States Constitution have taken as their model the old Constitution of the United States; but have introduced some important modifications. A comparison of the two documents will show what provisions of the elder Constitution have proved—at least in the opinion of Southern statesmen—unsatisfactory in practice.

The more express recognition of slavery in the new constitution was of course to be expected. The authors of the latter had neither expectation of, nor wish for the extinction of their 'peculiar institution,' as the founders of the Federal Republic had.

The perpetual electioneering ferment, which the election of a President every four years produces in the United States, is avoided by extending the term of office to six years. The President, moreover, is not re-eligible. This may be termed a compromise between the practice in the United States and the intention of the framers of the elder constitution. It is well known that the latter expected that the President would be as a general rule, re-elected once, and the term of tenure of the chair thus practically become eight years. Accordingly we find that the first President—Washington—the third, fourth, fifth, and seventh, that is five Presidents out of seven who governed the Republic between 1789 and 1837, enjoyed each eight years of office. Since 1837, however, there has been no instance of re-election. We may add that the old system of choosing the President indirectly, by means of Electors, is retained in the new Constitution.

The Executive Ministers are admitted to Congress for the purpose of debate. The inconvenience arising from the absence of the person most capable of giving authentic information on the subjects detailed has long been felt in the elder Congress. The innovation is an immense improvement.

Finally the wholesale dismissal of all Federal office-holders by an incoming President in order to provide places for his own supporters without any regard to the qualifications of the latter for the posts to which they are appointed as compared with the efficiency of the actual incumbents—is forbidden by the new Constitution. Removal now can only be for actual misconduct and 'for cause' stated. This most pernicious custom, which deprived Government of the services of experienced officials, to be replaced by men for the most part utterly ignorant of the business of their several offices, and which has moreover been attended

by boundless corruption and speculation, was introduced by President Jackson, who held office from 1829 to 1837. His vigorous and successful opposition to the former Secession movement of South Carolina in 1832 was not likely to recommend a system of which he was the author to the Southern statesmen, who are now endeavouring to found a new republic on the basis of human slavery. But the obvious disadvantages of the practice were enough to ensure its authoritative prohibition whenever an opportunity of amending the constitution should arise. *Fas est et ab hoste doceri*. We trust that the Northern Union will imitate their Southern enemies in the adoption of these undoubted reforms.

The last chapter is devoted to the subject of the government of dependencies by a free state. We shall pass over two of the three classes into which these are divided—military posts like Aden or Gibraltar, and colonies, like Canada and Australia—and conclude our notice of Mr. Mill's work by stating as briefly as possible his views upon the best way of ruling dependencies whose inhabitants are not yet fitted for representative government in other words his opinions upon the Government of India, past and present. We believe that the number of those who, in common with Mr. Mill, regret the extinction of the old Company, is large and increasing; who would prefer for their own sakes and in the interest of their native fellow subjects the rule of the Court of Directors, with all its short-comings, to the 'direct Government of India, by the *inutile Lignum*, who like his Horatian prototype may have caused the man who 'made' him, some uncertainty whether the material were only fit to be 'sat upon' or might be moulded into a 'god,' i. e. a Secretary of State.

The 'ideal rule of a free people over a barbarous or semi-barbarous one' should be equivalent to a succession of despots of irresistible power, and qualified by their talents to bestow judiciously upon the subject nation the results of the experience of the ruling race. The rule should be so organized as to be a good instead of an evil to the subject people, 'providing them with the best attainable present government, and with the conditions most favourable to future permanent improvement.' The end being thus stated, 'about the worst' means of attaining it is, according to Mr. Mill, that which was demanded in 1857 with such eager clamour, and which we now enjoy—government by a British Minister responsible to the British Parliament. Even if the responsibility were not what we know it to be—altogether illusory—to 'govern a country under responsibility to the people of that country, (as is the case with the other

'Ministers), and to govern one country under responsibility to 'the people of another country, are two very different things.' One is freedom; the other is despotism. The analogy, on which the inference is founded, that responsibility to parliament ensures good government at home, and therefore must be fitted for India, does not exist. This responsibility to the British Parliament of the Indian Minister is equivalent to the 'government of one people by another,' 'which does not and cannot exist.' It is a theoretical 'despotism of twenty millions,' assuredly not likely to be more beneficial to its subject than a despotism of a few, or of one. It is, moreover, a despotism of 'those who 'neither hear, nor see, nor know anything about their subjects.'

Not only are the English people unfitted, through ignorance and apathy, for the government of this country, but their interference, when exerted, is, however well intended, more likely to be injurious than beneficial. We offer no opinion of our own upon the following passage, which will appear to some exaggerated and harsh in language. It contains Mr. Mill's view of the drawbacks which attend the presence of English Settlers, with their capital and intelligence, in India. The interference of English opinion, he says, 'is likely to be oftenest exercised 'where it will be most pertinaciously demanded, and that is, 'on behalf of some interest of the English settlers. English 'settlers have friends at home, have organs, have access to the 'public; they have a common language, and common ideas 'with their countrymen; any complaint by an Englishman 'is more sympathetically heard, even if no unjust preference 'is intentionally accorded to it. Now, if there be a fact to 'which all experience testifies, it is that when a country 'holds another in subjection, the individuals of the ruling people 'who resort to the foreign country to make their fortunes, are of all others those who most need to be held under powerful restraint. They are always one of the chief difficulties of the government. Armed with the *prestige* and filled with the scornful 'overbearingness of the conquering nation, they have the feelings 'inspired by absolute power, without its sense of responsibility. 'Among a people like that of India, the utmost efforts of the 'public authorities are not enough for the effectual protection of 'the weak against the strong; and of all the strong, the European settlers are the strongest. Wherever the demoralizing effect of the situation is not in a most remarkable degree corrected by the personal character of the individual, they 'think the people of the country mere dirt under their feet; it seems to them monstrous that any rights of the natives should

'stand in the way of their smallest pretensions; the simplest act of protection to the inhabitants against any act of power on their part which they may consider useful to their commercial objects, they denounce and sincerely regard as an injury. So natural is this state of feeling in a position like theirs, that even under the discouragement which it has hitherto met with from the ruling authorities, it is impossible that more or less of the spirit should not perpetually break out. The Government, itself free from this spirit, is never able sufficiently to keep it down in the young and raw even of its own civil and military officers, over whom it has so much more control than over the independent residents.' (pp. 328-9.)

We feel as forcibly as any of our readers can that we have taken up more space in our notice of Mr. Mill's work than our ability to treat it as it deserves, can justify. Our principal object has been to lay before those who were unlikely to read the volume itself, the most important opinions which it contains of a writer whose every word deserves respectful attention—whose views, however we may differ from them, we cannot despise. We shall conclude with one more extract accurately describing the present system of governing India, warning us of its inefficiency and inevitable failure, pointing out the right path to follow, and lamenting our deviation from its track.

'It is not by attempting to rule directly a country like India, but by giving it good rulers, that the English people can do their duty to that country; and they can scarcely give it a worse one than an English Cabinet Minister, who is thinking of English not Indian politics; who does not remain long enough in office to acquire an intelligent interest in so complicated a subject; upon whom the factitious public opinion got up in Parliament, consisting of two or three fluent speakers, acts with as much force as if it were genuine; while he is under none of the influences of training and position which would lead or qualify him to form an honest opinion of his own. A free country which attempts to govern a distant dependency, inhabited by a dis-similar people, by means of a branch of its own executive, will almost inevitably fail. The only mode which has any chance of tolerable success, is to govern through a delegated body, of a comparatively permanent character; allowing only a right of inspection, and a negative voice, to the changeable Administration of the State. Such a body did exist in the case of India; and I fear that both India and England will pay a severe penalty for the short-sighted policy by which this intermediate instrument of Government was done away with.' (p. 232).

ART. II.—1 *A Review of Public Instruction in the Bengal Presidency, from 1835 to 1851.* By J. Kerr, M.A. Principal of Hooghly College. Calcutta: Baptist Mission Press, 1852.

2. *An Address to Parliament on the Duties of Great Britain to India in respect of the Education of the Natives, and their official employment.* By Charles Hay Cameron. London: Longman & Co. 1853.

3. *Selections from the Records of the Bengal Government. No. XIV. Papers relating to the Establishment of the Presidency College of Bengal.* Calcutta: Bengal Military Orphan Press, 1854.

IT is fashionable to recommend education as a sovereign panacea for the moral and social diseases with which India is afflicted. 'Had the Sepoys been educated, we should have had no mutiny,' say some. 'Educate the ryots,' wrote Dr. Duff to the Indigo Commission. And the belief is gaining ground that as we English must at some time retire from the country, the earlier our native subjects are fitted by education for the work of self-government, the better. That there is truth in these views cannot be denied. Had the Sepoys been educated, they would not have been deceived by the story of the greased cartridge. Had the ryots been enlightened, they would, in resisting the despotism of the Indigo-planter, have referred their grievances to the proper authorities in a manly, constitutional way, and not have had recourse to a series of jacqueries and to an armed resistance, whose issue, so distressful to themselves, could bring with it no commensurate good. And education is indispensable to the formation of that character, without which India must fall a prey to the lust of some other conqueror the moment British authority is withdrawn from her shores. But admitting all this, we yet maintain, that there are elements of character without which no people can rise in the scale of nations or attain true manhood, an end which cannot be reached by a mere secular education. Education would have allayed, perhaps extinguished, the fanaticism of the Sepoy hosts, but it would not of necessity have made those hosts unwaveringly loyal. Education would make the ryot a skilled

labourer and discover to him his rights as a man, but it would not necessarily make him honest, or faithful to his contracts, or scornful of the deceit and trickery that underlie the Bengali character. It would introduce the people to a knowledge of the arts and sciences, and of those principles of political economy by which alone a state can be securely governed, but it would not give that moral strength which alone can prevent knowledge becoming a weapon for self-destruction.

It may be urged that though education is not the all in all, it holds an undisputed precedence among the means by which a people are to be raised in the social scale; that social amelioration is inseparable from material prosperity; and material prosperity pre-supposes such an appreciation of mechanical and scientific appliances as education alone can produce. This is true, but the converse is also true; for it is by means of their appreciation of the practical advantages of these appliances that we may hope to awaken in the minds of the ignorant, a healthy longing for that education, that power, which can command such forces.

But we can imagine a state of things in which the commercial value of appliances, such as those we have referred to, may be fully acknowledged and yet no earnest effort be made to use them. Look at the agricultural population of this country. The resources of knowledge might be brought to bear on their labour, and an increased out-turn place an increased remuneration in the hands of the ryot; and the ryot may be well aware of this. But when he is liable at any moment, and without the hope of redress, to be fleeced by a rapacious Zemindar, or a more rapacious police; when, his rights being unprotected, he is not suffered to become rich, what encouragement has he to acquire useful knowledge? If he earns but little and loses all, he will also lose all when he earns much. The increased profits of skilled labour would leave him no gainer. Does it not look like mockery to educate the ryot, whilst, to all intents and purposes, he remains the serf of the native Zemindar and the prey of a ravenous police? Does it not seem clear, that until we have made proper provision for the administration of law and justice, and the security of the rights, property and persons of our subjects, all our efforts to awaken a healthy desire for education among the lower classes must be abortive?

If, again, leaving the question of material advancement, it be urged in favour of education, that without it the people will fail to discern or appreciate the thousand subtle moral influences that pervade our civilization, we reply that for this result we



must look, not to education simply, but to a Christian education. Christianity and morality can never be dissociated, and no true moral principle can be instilled or kept alive without the aid and influence of Christian Truth. A mere secular education may increase a man's power for good or evil, but it cannot make him either better or worse. But our government has a policy, and by that policy all Christian education is rigorously excluded.

This, then, is our position. We are told on the right hand and on the left, that we must educate the people. We reply, if by educating them, you desire to advance their material prosperity, you must first administer justice among them, give them a police worthy of the name, give them roads, give them good laws, and secure to them their rights in their own persons and property. We reply, if by educating them, you desire to bring them within reach of the moral and social influences that are in activity among ourselves, you must mingle with your secular teaching the holy principles and obligations of Christian Truth, and breathe into the education you give them the spirit of that higher Life which is 'the Light of men.' We propose in the present article to view the question in this latter aspect.

The empire of the East India Company had been established for more than half a century before the Government would consent to furnish their subjects with an education likely to be of any practical use to them in the business of life. Reluctantly did they recognize the principle that it was their duty as a great and powerful Government to provide for the enlightenment of the people; with difficulty were they brought to acknowledge any necessity beyond that of maintaining the existing institutions among the people. When the East India Company became the conquerors of the land, they found a few Sanscrit and Arabic schools, the only representatives of the literary habits of their subjects. These they deemed it wise to encourage, not from a conviction that they were necessary for the social progress of the people, but in the hope that such encouragement would help to reconcile them to a foreign yoke. The College of Benares, with its doting Pundits, was the leading institution for Sanskrit literature and philosophy; and to propitiate the Mahomedan population of Bengal, Warren Hastings in the year 1781, established the Madrisa of Calcutta. Arabic and Sanscrit, the Koran and Hindoo metaphysics, were to keep India happy and contented, whilst the East India Company shook the Pagoda tree.

By the way, can any body tell us what this Pagoda tree was? Have botanists described it? Did Dr. Leyden, who we suspect came in search of it, ever find it? Like the mastodon or the

dodo, it appears to be extinct. We have heard socialists allegorize the early chapters in Genesis, with a view to show that 'the tree of the knowledge of good and evil' was money, which an inspired apostle tells us is 'the root of all evil.' The existence of this Pagoda tree furnishes a singular corroboration of their views. As such we recommend the idea to their consideration!

But to return to our subject. We have said that the Government of India were instructed to give every encouragement to Arabic and Sanscrit Learning, in order that whilst the people amused themselves with the unspeakable inanities embodied in their favourite literature, the East India Company might pluck, undisturbed, the golden fruit of the Pagoda tree. Ten years after the establishment of the Calcutta Madrisa, Lord Cornwallis sanctioned an annual grant of Rs. 14,000 towards the support of a Sanscrit College at Benares. Thus it was hoped, both Hindoos and Mahomedans would be conciliated. 'These Oriental Colleges,' writes Mr. Kerr, 'were founded as a means of conciliating the people by showing respect for their ancient learning, more especially as a means of conciliating the Pundits and Moulvies.' That this was deemed 'politic in the early stages of our empire in India' will be clear from the following observations made by Mr. Jonathan Duncan, who got up the Sanscrit College in Benares:

'Two important advantages seem derivable from such an Establishment,' he writes; 'the first to the British name and nation, in its tendency towards endearing our Government to the native Hindoos, by our exceeding in our attention towards them and their systems the care even shown by their own native princes.'

As the establishment of a Sanscrit College promised to 'preserve and disseminate a knowledge of Hindoo Law,' so the Mahomedan College in Calcutta was made to provide 'for the instruction of students in the Mahomedan Law, and in such other sciences as are taught in the Mahomedan Schools.' Thus it was the policy of the Government to favour an educational system, if educational it could be called which had no advantage either intellectual or moral to recommend it, and which could only be turned to some little account by being associated with the administration of Hindoo and Mahomedan Law. But these institutions, towards which enormous sums of money were being paid out of the revenues of the country, failed to answer the expectations of the Government, moderate as those expectations were. To be sure the droning Pundits and lazy Moulvies had no reason to be dissatisfied, and the students, all of whom were liberally paid for

their attendance, were far from unhappy; but the trained lawyers were not forthcoming, and 'the precious libraries of most 'ancient and general learning and tradition' which the enthusiasts in the cause of Oriental learning had dreamed of, degenerated into lumber-rooms stocked from roof to ceiling with formidable piles of literary rubbish. We learn that about the year 1811, 'the subject of the decay of learning among the natives engaged 'the particular attention of the Government.' The cause of the decay was obvious. The conduct of the institutions had been left entirely in the hands of the Pundits and Moulvies, who, as long as their salaries came in with regularity, cared very little about the progress of their pupils. To revive the cause of Oriental literature, the Government arranged for the establishment of a Sanscrit College in Calcutta, to be conducted under European supervision. But the wisdom of this measure was more than doubtful. At this very time, the native mind in Bengal, tempted by the higher emoluments and other advantages it promised, began to awake to the desirableness of securing an English education. The Rajah of Burdwan, Baboo Chunder Coomar Tagore and other enlightened native gentlemen were, at this very time, meditating the establishment of a school or College which should offer facilities to the youth of Calcutta, and, indeed, of Bengal, for the study of that English literature which was fast becoming the highway to preferment and fortune. These gentlemen, we may be sure, but represented the idea that was growing and taking definite shape among the people generally, and speedily usurping the place hitherto held by a blind reverence for Oriental learning with its absurd philosophies and outrageous science. It will therefore strike every thoughtful observer that 'the decay of learning' so deplored by the Government, manifesting itself simultaneously with the newly awakened desire for an English education, was more than a simple coincidence, and that had the Government been wise, they would have at once directed their resources towards the gratification of this new-born desire for European knowledge, rather than have squandered Rupees 25,000 a year on an institution doomed, by reason of the increasingly practical tendencies of the Hindoo mind, soon to lose its hold on the popular imagination.

The Hindoo College was opened in the Chitpore Road on the 20th of January 1817, with the Governor General and Honorable Members of the Supreme Council as patrons, His Majesty's Chief Justice as President, the Chief Judge of the Sudder Court as Vice-President, a goodly array of names, European as well as native on the Committee list, and, what was most to the point,

a sum of Rs. 48,760 at the banker's. After a growing success of eight years, however, the funds of the Institution began to decline and the managers applied to the Government for aid. The Committee of Public Instruction, through whom the application had been made, was desired to observe in reply, that 'a certain degree of authoritative control in the concerns of the Institution' would be expected 'in return for the pecuniary aid proposed to be afforded.' This was conceded; but Government support being henceforward secured, the interest which the native gentlemen had taken in the success of the College began to flag, the management passed into the hands of a sub-committee of the Committee of Public Instruction, and the Hindoo College became, to all intents and purposes, a Government Institution.

The demand for English was not confined to the natives of Calcutta. A College for Persian and Hindi had been established in Agra in 1824, and had continued to be conducted on pretty much the same principles as the Colleges of Calcutta and Benares, till about the year 1833, or 1834, when the pupils expressed a desire to be taught English. 'The first step taken,' says Mr. Kerr, 'was to open an English class, to be attended for a short period of each day by recruits drawn from the Persian and Hindi departments. This did not fully meet the exigency of the case. The local committee repeatedly represented the growing demand for English instruction, and recommended the entire remodelling of the College establishment.' A similar desire showed itself in the Delhi College, in which had been taught Persian and Arabic with a little Sanscrit, since the year 1825. An English class was opened in 1828, and immediately half the pupils of the Institution requested that their names should be transferred from the Oriental to the English Department. Reported as these things were to the Supreme Government, it was not long before the authorities saw the necessity for more complete and general measures for the encouragement and support of English learning. It is probable they were also actuated in this matter by a growing conviction that it would be more economical to employ educated natives in the subordinate departments of the government than Englishmen, who needed to be sent for from home. At all events the following Resolution by Lord W. C. Bentinck, dated the 7th March 1835, will show how complete was the change which the educational policy of the state underwent:—

'His Lordship in Council is of opinion that the great object of the British government ought to be the promotion of European literature and science amongst the natives of India, and

'that all the funds appropriated for the purposes of education would be best employed on English education alone.

'It is not the intention of His Lordship to abolish any College or school of native learning, while the native population shall appear to be inclined to avail themselves of the advantages it affords.

'His Lordship in Council decidedly objects to the practice which has hitherto prevailed of supporting the students during the period of their education. He conceives that the only effect of such a system can be, to give artificial encouragement to branches of learning which in the natural course of things, would be superseded by more useful studies, and he directs that no stipend shall be given to any student who may hereafter enter at any of these Institutions, and that when any Professor of oriental learning shall vacate his situation, the Committee shall report to the Government the number and state of the class, in order that the Government may be able to decide upon the expedience of appointing a successor.

'It has come to the knowledge of his Lordship in Council that a large sum has been expended by the Committee in the printing of Oriental works. His Lordship in Council directs that no portion of the funds shall hereafter be so employed.

'His Lordship in Council directs that all the funds, which these reforms will leave at the disposal of the Committee, be henceforth employed in imparting to the native population a knowledge of English literature and science, through the medium of the English language.'

This change of policy was not decided on without considerable opposition on the part of the Orientalists in the Committee of Public Instruction; but common sense, economy, and the generally expressed desire of the people themselves, triumphed. The case as put by Mr. Macaulay in his well known minute on the subject, the minute which elicited the Resolution just quoted, was clear and irresistible.

'The question now before us,' he observes, 'is simply whether, when it is in our power to teach this language (English), we shall teach languages in which, by universal confession, there are no books on any subject which deserve to be compared to our own; whether, when we can teach European science, we shall teach systems which, by universal confession, whenever they differ from those of Europe, differ for the worse; and whether, when we can patronize sound philosophy and true history, we shall countenance at the public expense medical doctrines, which would disgrace an English farrier,—astronomy, which would

'move laughter in girls at an English boarding-school,—history, 'abounding with kings thirty feet high, reigns' thirty thousand 'years long,—and geography, made up of seas of treacle and 'seas of butter.'

Much more to the same effect, and written with the same pungency and point, might be quoted; but we forbear. Lord W. Bentinck's Resolution, placing the education of the people on a new and healthy basis, was hailed with satisfaction by all who were not wedded to old prejudices, and who had sufficient foresight to discern the social revolution it would inaugurate. The Agra and Delhi Colleges received an impetus in the direction of European literature and science, which had not only tended to preserve their vitality which under the old system was fast decaying, but has made them the leading Colleges in the North-West Provinces. The Benares College, hopelessly wedded, as one might at first have thought, to the cause of Sanscrit lore and exploded systems of philosophy, was not a whit behind her sisters in the demand for English. Every Institution, existing at the time when the Resolution of 1835 was passed, seized the opportunity of acquiring a knowledge of Western literature; whilst the colleges and schools, that have sprung up since that time, owe all their popularity and success to the English department. The English School at Dacca, which has now blossomed into a College, was opened in the year 1835, and was the first Government Institution that at once created and supplied the demand for English instruction in Eastern Bengal. This part of the country has sometimes as we learn from Mr. Kerr, been styled the Bœotia of Bengal, but never was epithet more misapplied. The fertility of its soil and the security afforded by the Perpetual Settlement have had a favourable influence on the intellectual character of its people who, equally with their brethren on the Western side of Bengal, are more acute and intelligent than the population of the North-West Provinces.

It had been originally proposed that the Hooghly College, for the endowment of which certain ample funds left by Mahomed Mohsin were available, should be exclusively devoted to Mahomedan learning; but by the time the controversy between the Government and the original trustees of these funds had ended in the Government assuming the trusteeship, the movement in favour of European literature had become general, and the worthless scheme of a Madrassa was wisely made to yield to a plan for an English college. Three days after the College was opened, 1200 pupils were enrolled in the English Department,

and only 300 in the Oriental! As the success of these English Colleges became more and more conspicuous, the Government were induced to found schools in various parts of the country; and to these schools hundreds of pupils resort year by year, stimulated by a desire for the position and emoluments offered by an English education.

It will be clear from what we have written, that the substitution of European literature and science for Oriental learning, was a measure that originated, not with the Government, but with the people. What inference may we draw from this? Had the Government been remiss in their support of Oriental learning? So far was this from being the case, that the sums of money squandered on these Oriental Colleges, these haunts of vicious idleness, were not only liberal but absurd. Pupils as well as teachers were paid for their attendance. Men engaged to translate works from the learned languages, and translating them unintelligibly, were dismissed?—No—retained ‘on a liberal salary,’ to explain their translation! None of the countless books, for the preparation and printing of which thousands and tens of thousands of rupees were expended, ever found purchasers; and yet more and more money was being continually voted towards the accumulation of a literature in which white ants were the only living creatures that cared to revel. Money was poured out like water upon a language whose grammar alone it took a man till he was sixty years old to learn, in whose philosophy he floundered to deeper depths each time he struggled to get back to the regions of common sense, whose historical or rather legendary lore, would be too much for the credulity of a nursery audience, whose morality was the vilest immorality, and whose religion was vice. Money was poured out like water on an Arabic and Persian literature, whose poetry was of the most effeminate and voluptuous kind, whose science could bear no comparison with that of Europe, and the essence of whose religion was political disaffection and fanaticism. In a word, every conceivable means was used to encourage Oriental learning, and conciliate the people by making them believe that it was highly esteemed by the Government.

When the demand for an English education arose, it was attributed in some quarters to ‘a strong though vague idea of the treasures of knowledge which the English language contains.’ But the truth need not have been concealed. As long as the British possession of the country was but of recent date, and the people, accustomed to being transferred from one power to another, were doubtful of the duration of our rule, they felt

but little desire to become acquainted with our literature, or multiply the relations which, in process of time, usually serve to identify the interests of the governed with those of the governors. But when our hold was found to be firm, and our rule promised to last indefinitely, they opened their eyes to the advantages that might be reaped by making their knowledge of the language of the conquerors a marketable commodity. A report had at the same time gone abroad that the Government, which had hitherto suffered Persian to remain the language of the courts, were now about to substitute the Vernaculars in its place. The desire for Oriental learning began, as a consequence, to abate, and, obedient to the dictates of a wise self-interest, the natives, especially the shrewder and more enterprising Hindoos, left their Sanscrit *Byakurans* with the Pundits, and took to the English Primer. Nor will any one venture to say that the motive by which they were actuated was a reprehensible one. It only represented the universal law of self-interest, the law that keeps society together, and gives life and healthiness to the countless relations that subsist between man and man. No undefined longing for the treasures of knowledge as such, ever yet stirred up an ignorant and demoralized race to undertake the labour of learning; and the case of the Hindoo was no exception. It was not 'a strong though vague idea of the 'treasures of knowledge,' but a strong and pretty clear idea of the treasures of material wealth that roused him from his indolence and apathy.

There were not wanting in those times men who, like Lord Ellenborough, could associate nothing but political disaster with the spread of secular enlightenment. So long as the people were restricted to their own learned languages, and their own science and philosophy, and were suffered to hear no doubts expressed regarding their religious belief, India, it was thought, would remain in our hands, a secure possession; but we might expect her to be wrested from us and lost for ever, the moment we introduced the suicidal policy of educating her sons and so necessarily, of uprooting their ancient religious prejudices and superstitions. No doubt such prognostications had the effect of deterring the government from abolishing the Oriental system earlier than they did; but it soon became apparent that they were the offspring of a narrow and short-sighted policy. Giving our subjects an English education promised great advantages not only to themselves, but to the State. In an economical point of view it would surely be a gain to employ educated natives as ministerial officers and in the subordinate branches of the



administration, in the place of Europeans, who for doing the same work would require a more liberal rate of payment. And in a political point of view, men who had acquired a knowledge of Western literature and science would be more likely to be loyal to the state, as well from an enlightened conviction that their welfare depended on a continuance of existing relations, as from a knowledge of those powerful resources at the command of the British Government which must make successful rebellion an impossibility. This appreciation of their own interests and of our power would be an inestimable safe-guard to our rule, and we should owe it to the influence of an English education. Surely such a safe-guard were preferable to the ignorance in which we found the people, an ignorance more likely to urge them headlong into revolt, than to restrain them from it. Considerations such as these adding weight to the conviction that it was the duty of a great and enlightened Government to educate their subjects, and backed by the generally expressed desire of the people themselves, resulted, and rightly, in that entire change of educational policy of which Mr. Macaulay's Minute and Lord W. Bentinck's Resolution were the public exposition.

But refreshing as was the change from the ponderous absurdities of Oriental lore to the healthy and vigorous life of European literature, lurking places were provided for those absurdities in the 'Oriental Departments' of Colleges, and in the Sanscrit and Mahomedan Colleges of Calcutta. One of the arguments against the abolition of the Sanscrit and Arabic Schools was, that without them our courts could not be furnished with men qualified to expound Hindoo and Mahomedan Law; and on this ground chiefly, have the two Oriental Colleges of Calcutta been maintained in all their expensive inutility. Mr. Macaulay met the argument with the following reply:—'The fact that the Hindoo Law is to be learned chiefly from Sanscrit books, and the Mahomedan Law from Arabic books, has been much insisted on, but seems not to bear at all on the question. We are commanded by Parliament to ascertain and digest the laws of India. The assistance of a Law Commission has been given to us for that purpose. As soon as the code is promulgated, the Shasters and the Hedaya will be useless to a Moonsiff or Sudder Ameen. I hope and trust that before the boys who are now entering at the Madrassa and the Sanscrit College have completed their studies, this great work will be finished. It would be manifestly absurd to educate the rising generation with a view to a state of things which we mean to alter before they reach manhood.'

The fact that the Sanscrit College is, according to the confession of the late Director of Public Instruction, held in high repute by *orthodox* Hindoos, is, we fear, the most satisfactory proof we could have, of its supreme uselessness. In the educational Report for 1858-59, Mr. Young informs us that the Supreme Government have sanctioned the introduction of a larger English element into the course of instruction followed here, and so far, no doubt, some good has been done. Still, what is called the College Department of this Institution, retains its purely Oriental character, with the exception of the permission granted to its students to attend English lectures in the Presidency College. In the Madrissa too, a little English is taught, but its resources are mainly devoted to the cultivation of Arabic and Persian literature. If at the time when Macaulay wrote his Minute, the expenditure on Oriental learning was condemned as unwise, owing to the expected early completion of a code—the work of a commission expressly provided to make a digest of the laws of India, which would supersede the necessity of having Hindoo and Mahomedan law-officers,—what shall we say of the wisdom that insists on maintaining this expenditure even after the work of the Law-Commission is ended, and this code, now ready, is about to supersede all the old, tangled forms of law that have flourished luxuriantly for the last hundred years? To the Madrissa we object more strongly than to the Sanscrit College. The latter simply dwarfs the intellect, and unfits Hindoo youth for the earnest, practical realities of life; but the policy that upholds the Madrissa endangers our rule. Arabic science and logic have, we believe, been given up; but Mahomedan literature and law are still taught, and that, to use the language of the present Lieutenant Governor of Bengal, ‘to the very highest attainable standard.’ We object to the Madrissa on the ground of its exclusive character; for it appears to us that a College for Mahomedans is as great a violation of that neutral policy, that affects to favour no particular creed or religion more than another, as would be a Government College for native Christians. We object to a vast expenditure for the teaching of a Law that will now no longer be administered, and which will require no further exposition. And we object to the encouragement given by the state to the cultivation of a literature which, owing to its essentially religious character, can only tend to foster fanaticism and promote political disaffection. We are actually spending a large sum of money from year to year out of our exhausted exchequer, in the support of Moulvies engaged to teach and students paid to be indoctrinated in a creed, which

lays it down as a fundamental obligation that no faith should be kept with infidels, and therefore, with ourselves, the rulers of the land. Mahomedanism is 'the fanaticism of the banner,' and has the effect of making its adherents, when under a foreign yoke, religiously disloyal. What is the reason that our Mahomedan subjects, as a rule, despise an English education? How is it that whilst Hindoos flock in hundreds and thousands to our English classes, Mahomedans are reckoned by units. It may be replied that the Mahomedans are a more indolent race and do not like the trouble of learning a foreign tongue. This is not true. They are not at all more indolent than Hindoos in pursuits that interest them, and they will take an infinity of pains to learn Arabic or Persian. It may be said that it is the possession of 'a polished language and literature of their own' of which they are proud, which makes them indifferent to English. But the possession of 'a polished language and literature' does not prevent the Hindoo from acquiring a knowledge of English! The fact is that, except when deterred by imperious religious considerations, all pride, prejudice and indolence must give way before an adequate necessity. When the Hindoos felt it was necessary to learn English if they would enjoy the superior material advantages that such a knowledge alone could bring, they laid aside their prejudices and indolent habits and set to work. Why have not the Mahomedans done the same? Their necessity was quite as great, if not greater; for our rule occasioned the poverty of numerous Mahomedan families that had grown fat on the spoils of a subject country. Nevertheless they keep aloof from us, and, as a consequence, are sinking lower and lower in the social scale, and being farther and farther distanced in the march of civilization. On every hand, we meet with Hindoos rising to rank and wealth; but we look in vain for rising Mahomedans. We say not that there are no men of wealth and influence among them; still, those who are such, are, as a rule, people that have received their wealth and position from their forefathers who lived during the period of the Mahomedan possession of the country. How do we account for this state of things? The conclusion we think is obvious, that the Mahomedans do not care to learn our language, because they do not care to be reconciled to our rule. They have not forgiven us for dispossessing them of Bengal; they hate us as much to-day as they did on the 21st of June 1757, when we made Suraj-u-Dowlah fly from the plains of Plassey. Their comfort in their present reverse of fortune is in the belief that the dominion will yet again become theirs. Cheap books are industriously circulated among

the poorer classes with a view to keep alive the expectation of deliverance from our yoke. Like all fanatics, they regard themselves as special favorites of Heaven, and look forward with confidence to the day when they will recover their independence and once more be the rulers of India. And the mistaken policy of the Government has but encouraged and nurtured the disaffection. In our extreme anxiety to conciliate them, we have dandled and petted them, and coaxed them to be good, until they now believe that we fear them. We feel it our duty to protest most earnestly against the policy that encourages the Moslem in his arrogant exclusiveness, by giving him a College to himself, and instructing him in a law and a literature which can only confirm his enmity to the state. Mahomedan Law and the Mahomedan faith cannot be dissociated, and to teach the one is to teach the other; Mahomedan literature is essentially religious; and as long as we continue to teach these things, we continue to cherish the viper that will sting us the moment it is warmed into life. The Madrissa in Calcutta, as long as it stands, will be a monument of our folly and an unanswerable satire on our so-called neutral policy.

The question then arises, what ought we to do in the matter of Oriental learning? No true science, philosophy or history are to be derived from Sanscrit and Arabic. The only claim these languages can have to recognition in an educational scheme, is on the ground of their intrinsic value as languages, and this claim we apprehend would be amply met by the establishment of a University chair for each. A professor or professors of Sanscrit and the same for Arabic, is all the homage we need pay, in a Government scheme, to languages for the study of which greater facilities exist in Europe, and especially in Germany, than in this country. Let all who have the means and the leisure for Oriental studies attend the lectures of these professors; and let the money now wasted on Oriental Colleges and Departments of Colleges, be devoted to the support of Zillah Schools. We hold that the Government are not bound, either in the reason of things, or by any pledge given to their native subjects, to uphold the present scheme.

We come now to a most important inquiry. We have seen how the demand for an English education arose among the pupils of the Government Colleges and Schools, and how it was met by the Government. From that time to this, through a period of about thirty years, we have been teaching European science and literature. What result has this change in our educational policy produced? Has it been a success, or is it a failure? In some respects it has wrought undoubted good; but in others it

has disappointed us. Viewed in comparison with Oriental learning, as that learning used to be prosecuted, and in connection with the material advantages it has brought in its train, this change has been a success; viewed in respect of the moral improvement and social revolution it was expected to accomplish, it has been a failure. Let us look first at what it has done, and then at what it has failed to do.

To those who have come within the range of its influence, a knowledge of English has brought inestimable intellectual benefits. Enslaved as they had been for ages, our literature and science and history knocked off their fetters and drew them from the darkness of their intellectual prison-house into the cheerful light and free air of true knowledge. One look through our telescopes was enough to shatter for ever their belief in the cosmogony of their shastras; one draught of the pure and majestic streams of thought, that flow through our literature, was enough to entice them away from the turbid and unwholesome waters of their own legendary lore; one glance at the map of the world and at the authentic history of its nations, was enough to scatter for ever the outrageous traditions of fabulous lands and heroes. A knowledge of English has taught them great truths respecting themselves—respecting men, their histories and national characteristics, their politics, and their inventions and discoveries in the arts and sciences—respecting nature, its subtle agencies and secret forces—respecting the world of mind and its laws of action—and respecting the far off worlds, with their laws and revolutions. None of these things would have been known—nothing of that expansion of mind and thought, which is now going on around us, would have been realized, with centuries of Sanscrit and Arabic study.

Then there is the accumulation, of material wealth. In the race of life, the enlightened must outstrip the ignorant. There are offices in the State, places of trust both within and without the sphere of Governmental service, pursuits requiring a knowledge of mercantile economy, and professions such as those of engineering and medicine, which are within the reach of those only who have made themselves conversant with European science and literature. In all these paths there is wealth to be had, but wealth which will surrender only at the challenge of knowledge.

But, so far, the advantage is with the learner, not with the State that supplies the instruction. What benefit do we as rulers derive from the education we are giving the people? Among the lesser benefits, may be mentioned the preparation of a class

of men to fill the subordinate posts in the various departments of the State; an arrangement by which not only is economy supposed to be secured, but the good will and sympathies of the people themselves are believed to be gained. The great benefit undoubtedly is, that as education helps to enlist men on the side of order and good Government, so all who are educated by us, being on that account fitted to advise and influence the untaught people of our province, will use their influence in support of the State. Not that the loyalty inspired by education is of the heroic and generous type; but their acquaintance with our national resources and the springs of our strength will deter them from awakening or stimulating a hostility which would be inevitably disastrous to themselves. Education will convince them of the folly of attempting to throw off the British yoke; and the fear and respect thus engendered may be looked upon as our greatest safeguards against rebellion. Of course the loyalty of fear is not to be mistaken for the loyalty of love. It by no means follows that men, who are enamoured of our literature, entertain a devoted attachment to our Queen; or that moved by any very high sense of their obligations to her, they would always be prepared, at whatever risk, to check the tide of disaffection among their ignorant countrymen. No education will give the Bengali the true, disinterested loyalty, which, in times of peril such as 1857, stirs the breast and nerves the arm of the Englishman, and urges him, regardless of all personal hazard, to uphold the honour of his Queen and country. There is sympathy subtler than any a mere community of knowledge can awaken, whose chords must be touched before the loyalty of the educated natives, can be any thing more than a prudent calculation of consequences. Their loyalty, in the existing state of things, can only be the offspring of a wholesome fear resulting from a shrewd appreciation of our national resources, and of a conviction that under no other Government, not even under a republic or monarchy such as they might be suffered to establish for themselves, would they enjoy the political freedom, or meet with the enlightened liberality of sentiment that are identified with British rule. It will be vain for us to expect any thing more than the loyalty of fear, until a community of religious belief and feeling has added its influence to that of secular instruction. The religious instinct in man, and the sympathies awakened by it, are among the most powerful of the influences that sway human conduct. Religion may be a practical power, permeating like leaven, all a man's thoughts, and giving colour to all the purposes of life, or it may be a mere form whose ceremonials are viewed by him

as both its symbol and substance; nevertheless the bare fact that the religion he professes is also the religion of certain others, is enough to establish a sympathy between them, and cement a union, which in seasons of political revolution, will over-ride all social and race distinctions. Every appeal to the religious sentiment for aid in times of danger or distress, especially when that danger or distress is expected to come from a people of a different faith, is based on the idea that the eternal interests of those whose help is asked will be at stake if that help is not given. This is universally felt to be the highest and most pressing ground of appeal, and as such may stimulate or restrain the war passion, when other considerations prove of no avail. The principle of self-interest underlies all the political relations which men form with one another, and advantage is taken of this principle in its highest form in every appeal based on a community of religious sentiment. The old Romans, who suffered the nations they conquered, to retain their own gods and religious formulæ, were in reality far from neglectful of the political advantages to be derived from religious sympathy. It is said that they refused to interfere with the religion of a subject nation, in order that they might thus conciliate their prejudices. 'This is true, but it is not the whole truth. 'Among the Romans,' observes Neander in his 'General Church History,' 'religion was more closely interwoven, than in the other ancient states, with politics. 'One gave light to the other. Here more than elsewhere, the whole civil and domestic life was based on religious customs, which, by their connection with modesty of manners, presented a striking contrast with the more æsthetic than moral element of the Grecian mythology.' The Romans early learnt that the religious element which was so mixed up with the principles of their own individual polity, could not be excluded from the political relations they established with the people of conquered lands. Professing to leave such subjugated nations free to retain their own gods and forms of worship, they nevertheless sought by degrees to introduce among them Roman gods, and a Roman ritual which was to be practised in conjunction with the national religious observances. So far then from being indifferent, the Romans were keenly alive to the influence of the religious element in directing the political sympathies of a people.

It may be asked, to what do these remarks tend? Do we propose, as a guarantee against all future rebellion, that our Indian subjects should, *per fas aut nefas*, be induced to embrace

Christianity? By no means: such a measure would be not only at variance with the first principles of the Gospel, but productive of more harm than good. We desire to advocate no means for the conversion of the people but those indicated in Holy Writ; we are only stating our conviction that if the people were Christians, we should in that fact have a surer and more abiding safe-guard against disaffection and revolt, than in any loyalty traceable to the influences of an English education alone. The undeviating loyalty shown during the mutinies by the native Christian community of the North-West Provinces will serve as an illustration of what might be expected were the whole nation christianized. The fact then cannot be doubted that there exists a higher guarantee for loyalty than the instruction of our heathen subjects in our own language and literature. A knowledge of European literature and science may satisfy them of the prudence of remaining loyal; but it fails to create that positive attachment to our rule, that active loyalty which can come only of a common religious faith. English education viewed politically, must result in great good, but the good is uncertain.

It is sometimes urged that by giving our native subjects an English education, we are preparing them for the day when, England's mission in India being accomplished, they will be left to govern themselves. Indeed, the necessity of training them to the business of self-government has been so often reiterated, that they are beginning to believe that we do really intend shortly to leave them to themselves. We cannot help thinking the notion mischievous as well as wrong. England has no idea of relinquishing her hold on India, and to encourage such a belief is to encourage a hope that, in all probability, will never be realized, and to promote a restless, disaffected spirit which will be intensified rather than allayed by the lapse of time. The political and commercial considerations that keep us in India just now, will compel us to retain permanent possession of the land. But admitting for the moment that it is England's mission to teach India's sons the art of self-government and so clear their way for successful competition in the great race of nations; is education the all and in all by which this end is to be gained? The question brings us to a consideration of the reasons why the change in our educational policy, which in some respects has been an undoubted success, has been a failure in a moral and social point of view. That knowledge is one of the elements necessary to the development and support of political independence, we do not dispute; but that it is the only mental qualification required, we deny. For such independence



moral power is needed as well as intellectual; but mere secular knowledge never yet created moral stamina. Knowledge never yet made a dishonest man honest; a selfish man generous; or a sensual man spiritual. It expands the intellect and gives power, but it does not direct that power, or change the moral character of its possessor. Ignorance may be 'the parent of vice,' but education is not the effective purifier of morals. A nation may be filled brimful with secular knowledge, and the springs of its moral being remain as polluted as ever. Knowledge is power, but it is not virtue; it is power, but that power may be used for evil as well as good. In saying this we are not setting forth the deductions of reasoning, but quoting the testimony of historical facts. Greece and Rome were both highly intellectual and philosophic; but what was their moral character? And so let us suppose the Bengali in possession of all the secular knowledge we can give him. He can quote Milton and Shakespear; he can write florid essays on 'the elevation of the people of India'; he can direct engineering operations; he can make our treatises on political economy or mental and moral science as familiar to him as household words; our exact and liberal sciences he may become acquainted with down to the latest investigations and discoveries. Suppose him left to govern his own land, thus equipped, but with no provision for his moral nature, and an entire stranger to all healthy moral discipline. What would be the result? How long would anarchy be averted? With the knowledge that all Bengalis have of their own countrymen, with the instinctive suspiciousness of their nature; with the effeminacy that has been fostered for ages; with wives and mothers utterly unqualified for their respective relations; with the accustomed triumphing of might over right; with their present unsusceptibility as to moral influences, and their want of moral courage and energy, and with the lack of a proper physique which must come of something more than dal and rice; in a word with that entire prostration of public confidence which would follow as the natural result of moral weakness on the part of the rulers, the government of the Bengalis, should it begin as a monarchy, would soon break up into a polyarchy whose separate elements and interests would, in their turn, get mixed up into a glorious anarchy.

We have no wish to offend the feelings of the educated classes of the country; but the truth, however unpalatable, is wholesome and ought to be told. We do not deny that there are oppression and effeminacy, sordid selfishness, forgery, perjury and murder in Christian England too; but the characteristic difference between Christian England and heathen Bengal is, that in the former

country, public opinion calls crime crime, and condemns it as such; whereas in the latter a man who commits the basest of felonies receives the unrestrained sympathy of the most enlightened classes of society. In England there is a moral standard, universally acknowledged, by which conduct is measured; but here the power to oppress and wrong one's fellow-men gives the right to do so. Where a true and reliable moral standard does not exist, it must be created; but mere secular knowledge is unable to create it; and we must look beyond education for the power that is to give principle and character to the people whose intellects we are training for the battle of life. There is no true morality apart from Christian truth. The conscience is enlightened and strengthened, the moral affections are rightly directed, the moral regeneration of a man can be effected, only by the belief and reception of the Gospel of the Christ; and until this Gospel has free course and is glorified in India, not all the science and learning we can give her sons, will raise them to true manhood, or qualify them to take a place in the front rank of nations. India can never attain true greatness or be any thing more than an appanage to some European power, until she receives and is leavened by that Divine element which has been the strength and support of Christian England—'the truth as it is in Jesus.' If the earth did not periodically turn its face to the sun, no soil would be productive; the seed embedded in it would remain dormant if for ever without the action of heat. And so it is with the native mind. There are seeds of truth in it, moral capabilities, which only await development; but these germs will remain for ever dead unless that mind is brought into conscious contact with Jesus, the Christ, the central sun of Truth.

We come now to a question that has been agitated with renewed vigour since the rebellion of 1857—ought the Bible to be systematically taught in the educational institutions of the Government? Great differences of opinion exist on this point. The Government maintain that they have a policy, and according to that policy they ought in no way to interfere with the religions of their native subjects; that they are pledged to a wise neutrality and that any other line of conduct would alarm the people, and make our hold on the country most insecure. In reply we observe, in the first place, that the government are *not* pledged to a neutral policy; and in the second place, that they have themselves violated that policy already. Whatever may have been their professed policy during the times of the East India Company, certain it is that Queen Victoria, in assuming the immediate government of her Indian Empire, distinctly defined her relation to the prevailing

religions of the land as that of a Christian\* Sovereign *tolerating* the religious beliefs and observances of her heathen subjects. The Proclamation, did not assert that, in deference to their prejudices, she would hide her Christianity and ignore its obligations in all her relations with them, because she could not conscientiously embrace Hindooism or swear by the Koran; but that she would not, after the example of their other conquerors, forcibly impose her creed upon them, but would, in all matters concerning religion, respect their feelings and tolerate their observances. Wide indeed is the difference between this toleration and the neutrality we hear spoken of. Will any one venture to say that for the Government to establish a class in every college for teaching Christianity would be a violation of any pledge expressed or implied in Her Majesty's proclamation? In establishing such a class, we should neither de-Hindooise the Hindoo, nor de-Moslemise the Moslem; it could not be said that we were persecuting the pupils into renouncing the creed of their fathers, for they would be under no restraint to attend the Institution; and indeed, the moral suasion which alone could be employed in recommending Christianity to their attention, would be the strongest guarantee they could have, that their religious feelings would always be respected.

Our second indictment charges the Government with a violation of their own neutral policy, and has two counts. First that the Government have already interfered knowingly with the religion of their native subjects; and secondly, that they have shown that favour to Hindooism and Mahomedanism which has been denied to Christianity. To prove the first count, we need but recall, all that the Government have done to dispel ignorance and enforce public morality. Every effort that has been made in either of these directions has been a thrust at the religious beliefs and observances of the people. It is a part of their religion to believe that Rabon seized with hunger, and being gifted with jaws of unrivalled expanse, makes periodical attempts to swallow the moon; but the Government by teaching them the true theory of eclipses, have knowingly interfered to overthrow their faith in this article of their creed. It is a part of their religion to believe that the earth rests on the back of a tortoise; but the Government have been teaching them Newton's theory of attraction, and as a consequence, another item has been lopped off the tree of religious belief. Their religion teaches them to believe countless legendary absurdities which violate every principle of chronology, history, reason and common sense; but the Government, by unfolding before them the treasures of true history, have destroyed their

faith in the historical pretensions of the shastras. These legends form integral parts of their religious creed, but a government education has shown them to be only obscene myths. The Hindoos are taught to believe that the man who inhales the smell of an Englishman's dinner is defiled; and we have heard of an orthodox Hindoo, who, to escape the odour from Dr. Carey's cook-room which happened to be built close by, vacated the house in which he had lived for years, and removed to a distant part of the town. Yet the tendency of education has been to bring Young Bengal to our hotels and refreshment rooms, and stimulate within him an unmistakeable relish for beefsteaks and brandy and water. It was a part of their religion for Hindoo mothers to throw their female infants alive into the sea, into the very jaws of alligators floating about and watching for the prey; but the Government have peremptorily forbidden the inhuman rite. It was a religious observance for the Hindoo widow to throw herself on her husband's funeral pyre; but the Government have abolished the rite of suttee. It was regarded as a religious obligation for a woman or girl once widowed, to refrain from contracting a second marriage; but the Government have interfered to legalise widow marriages. In these and other respects, do the Government stand convicted of having disturbed the religious beliefs, or discountenanced the religious observances of their Hindoo subjects. And the same may be said of their Moslem subjects. The very fact of our holding sway over them is a serious violation of their religious prejudices; for are they not bound, by all that is sacred, not to keep faith with infidels, or suffer themselves to be ruled by an infidel power? If our neutral policy requires that we should abstain from all interference with the religious feelings and observances of our subjects, then, for consistency's sake, we ought to restore the dominion to the Mahomedans; or, if we are not prepared to make so great a sacrifice to principle, we ought at least, to let our Hindoo subjects revel undisturbed in their religious immoralities and crimes.

We are perfectly aware of the grounds on which the State would attempt to justify the interference we have noticed. We shall be told how impossible it is for an enlightened people like the English to come into contact with the ignorant and debased masses of this land without to some degree influencing their intellectual and moral condition, and how such a result could no more be prevented than can the dispersion of darkness when the light begins to shine. We shall be told that the Government have interfered to prohibit certain rites and observances, not as having to do with religion, but as subversive of that public morality and

decency whose interests they are bound to protect. We may be asked, by way of an *argumentum ad hominem*, whether we really blame the Government for substituting true history and true science for fabulous legends and doctrines 'which would move laughter 'in girls at an English boarding-school'; and for legislating in defence of the interests of humanity. We unhesitatingly answer, no; these things have our unqualified approval, and must have the approval of all right thinking men; but, alas! for the consistency of the Government; alas! for the neutral policy of the State that cannot provide for the most obvious necessities of public morality, without riding rough shod over the most sacred prejudices of its people, and crushing with imperial interdict their time honoured religious observances. What shall we say of the honesty of a Government that can with one hand stroke the heads of their subjects and tell them that their religious feelings will be scrupulously respected, whilst with the other, they are plucking up their religions, root and branch? Of course we are exhorted to distinguish between religious and public morality; but when, binding ourselves by the self-imposed pledges of a neutral policy, we undertake to legislate for a state of society in which every social custom, every practice whether moral or immoral, and, we had well nigh added, every movement of limb or muscle, is religious, where shall the line of distinction be drawn? The Hindoo does not distinguish between religion and morality; to him all distinctions between moral and immoral are merged in the one idea of religion. To him female infanticide, suttee and the prohibiting of widow marriages, have no moral aspect; they are questions wholly religious. Accordingly he accuses the Government of interference with his religion, and the accusation is true.

Not only have the Government been tampering with the religion of their native subjects, but they have gone out of their way to treat Christianity with studied disfavour. The case of the Sepoy at Meerut who was dismissed from the army for no other reason, secret or declared, than that he had become a Christian; the order prohibiting Christian gentlemen from worshipping with native fellow-Christians, as happened in the Punjab; the careful removal from all school books of the Christian element, as in Bombay; and the almost universal prejudices on the part of officials against native Christians, are but so many indices of the feeling with which the Government regard the religion of the Christ. Indeed, it is needless to detail the numerous facts that painfully and too clearly illustrate this disguised hostility to Christianity, when we find the inference to

be derived from them already embodied in the belief, universal among the natives, that the Government do not wish them to become Christians. If the state had been true to its neutral policy, whence could this belief have sprung? How is it that Hindoo and Mahomedan servants of Government are free to proselytize to an unlimited extent and in the open face of day, but the moment an English officer opens his lips to tell his hearthen subordinates of Christ, he is visited with the wrath of a Governor General? Why is it that a Hindoo priest or Mahomedan moulvee may be admitted to any department of the Government service, but no Englishman having once been a Christian Missionary, can become a teacher in a Government College? Why are the sacred books of the Hindoos and the Koran of the Mahomedans read in Government colleges, and the Bible of the Christians excluded? Why is a Director of Public Instruction suffered to remove from English class-books every allusion, however remote, to Christianity, whilst the Bengali text books, selected by the Government for the examination of those who wish to pass in the vernacular, remain inoffensively obscene and filthy? Why need we say more? We have said enough to show that the State is in every way daily violating its neutral policy, and has forfeited all right to appeal to it in justification of its refusal to teach the Bible in its institutions.

But the Government are not alone in opposing the introduction of the Bible as a class book into their colleges and schools. It is sometimes objected, that if the Bible were to be introduced, there would be unseemly and perhaps interminable squabbles among the various denominations of Christians, as to which sections should furnish the Bible lecturers. But this objection is unworthy of serious attention. Denominational questions, however important in some respects, ought always to be held in subordination to vital truths; and were matters at any time to be so arranged as to make the Government anxious for the services of some of the agents of the various Missionary Societies that occupy the country, we should regard it as sinful to allow the strife of *isms* to interfere with the communication of Christian truth to those who are perishing for lack of knowledge.

Or, it is further objected, if we do not engage Christian Ministers or Missionaries to teach the Bible, we must leave it in the hands of the teachers on the staff, many of whom entertain infidel views, and are Hindoos or Mahomedans. We are asked, if we can safely entrust the Bible to such men. Instead of unfolding the doctrines of our religion, their time, it is presumed, would be spent in filling the heads of their pupils with all the ribald

objections to Christianity they can find, and in trying to excite ridicule against the inspired Word. But admitting that much of what is apprehended would take place, what then? Men may laugh at the Bible, and they may hate it; but to despise it, is more than any mortal, who has once become acquainted with its truths, is able to do. And as to the propagation of infidel objections, these never yet deterred a man, who was not previously anxious to smother the rebukes of conscience, from a candid investigation of the truth. Whether accompanied by such objections or not, the leading doctrines of the Gospel would have to be taught; and in these doctrines, by whomever spoken, there is a living power which can assert itself in spite of human opposition.

It is our deliberate opinion that the Bible ought to be a class-book in every Government College and School. We have considered the reasons for and against its introduction, and have come to the conclusion that the arguments for the measure are weightier than those against it. The majority of Dissenters, or as John Bright would have them call themselves, 'Free church men,' are opposed to the measure, on the ground that it will introduce a state-church element into the relations of the Government with the people, which would be highly prejudicial to the healthy development of Christianity in the land. The principle on which they take their stand is, that the state should have no connection with religion, and that the invariable effect of such a connection, as they believe the history of Europe shows, is to despiritualize the holy influences of Divine truth by an admixture of secular principles the tendency of which is to deaden the spiritual consciousness of men. Whatever force the argument may seem to have in Europe, we fail to see its applicability to this country. Here the question is not one of sects and denominations all holding the same Christianity, but a question of truth and error, a truth whose dimmest rays are a very glory when contrasted with the gross darkness of error that envelopes the people. Christian truth, so long as it is Christian truth, accompanied by whatever paraphernalia, ceremonial, or denominational creed, ought to be hailed as an un-speakable blessing whenever it comes to abolish the idols and overthrow the superstitions of heathenism.

We advocate the introduction of the Bible into the educational establishment of the Government for two reasons. First, without it as a class-book, the English education we profess to give is grievously defective. Secondly, without it the moral education of the people can never be accomplished. Let us look at these reasons in the order in which we have stated them.

First, without the Bible, that is, the English Bible, as a class-book, the English education we profess to give is seriously defective. No such education can be complete without a knowledge of the Bible. Not only does this book contain the most ancient authentic history, and the truest moral philosophy, but its language and its spirit so permeate our literature, that that literature cannot be understood without a thorough acquaintance with its contents. The pupils of our Colleges and Schools are taught to believe that the world's history begins with the siege of Troy, an event which dates after the settlement of the Israelites in Canaan, after the death of Joshua, and during the times of the Judges. The entire antediluvian era, the time immediately succeeding the deluge, the period during which Egypt acquired its learning and greatness, the patriarchal age, the whole four hundred years occupied in Israel's growing into a nation, in a word, the first three thousand years of human history, are represented by a blank page, just because the Bible must not be taught. A large section too of the contemporaneous history of the following thousand years, embracing the chronicles of the Assyrian and Babylonish empires, is for the same reason excluded from the course of historic study, thus rendering that course essentially defective.

It is the same with the literary aspect of the case. The man who has not studied our English Bible cannot be said to appreciate our literature, and yet here we are teaching English without the Bible. A serious objection in England to a revised translation of the Bible, in which it was proposed the new readings should be incorporated with the text, was, that such a version would hopelessly unsettle the minds of the people, with whom the very words and phraseology of the Bible have become a part of their religious consciousness; and that any advantage to be derived from it, would be more than counterbalanced by the rude jostling out of the old and smooth worn channels of religious thought, which they would experience. Now, the relation between our Bible and our literature is similar to that which exists between the phraseology of our Bible and our religious consciousness. As leaven permeates dough, as water soaks into the soil, so have the phraseology, the ideas, and generally speaking the spirit of our Bible spread themselves throughout our literature. To make the pupils of our Colleges and Schools intimately acquainted with our literature, and yet to keep from these our Bible, is to give a medical student a minute description of the organs of the human body and their functions, but to omit all mention of the blood or its circulation.



The Christianity whose history the Bible embodies, and whose spirit and principles it reveals, and which, more than any other element, has served to mould and direct the destinies of nations, ought to be understood by all who lay claim to an enlightened education. The history of Europe from the times of the Roman Empire is inexplicable without understanding the religion that dared imperial edicts, triumphed over heathen hate, swayed the politics of nations, and ultimately became the inspiration of Protestant Europe. To understand the history of Rome, or Germany, or France, or Spain, or Holland, or Switzerland, or, above all, of England; to discover the secret springs of the energy that has made our island home the greatest country in the world, a man must read the Bible, and must know Christianity. This is the only key to the interpretation of some of the most potent and far reaching influences that have underlain European history, and that underlie it now. The history of Christianity is inseparably associated, too, with the history of that march of intellect which has resulted in the gigantic discoveries of modern science, the inventions of art, and the amelioration of the physical and social no less than the moral condition of men. Helping the European mind to break off the fetters of an ignorant and superstitious bondage, Christianity stood forth and bade it go free; and since then the fruits of freedom have been multiplying on every hand. To teach English literature, the history of European politics, and the history of intellectual progress without giving the Christian religion and the Book that teaches it a prominent place in the scheme of study is, as if a photographer were to try and explain the process by which pictures are obtained without alluding to the sun's light. We have read of two negroes who stopped to discuss the use of the Electric Telegraph. What is the use of the wire? asked one of them. 'To keep the posts together,' was his friend's reply. 'And what is the use of the posts?' 'To support the wire,' was the prompt rejoinder. Is not this an illustration of the result obtained by the education Government institutions are giving? The students are taught all about the posts supporting the wire and the wire helping to keep the posts together; but of that Christianity which has been the electric spark to quicken our literature and politics, and make Europe intellectually what it is, they are suffered to know nothing. Sir James Colvil, the late Chief Justice of Calcutta, in a minute written when he was a member of the council of education, said respecting the study of Arabic in the Madrassa: 'I myself see no objection to the use of the Koran and commentaries on it, approved for their elegance as class-books. It seems to me,

'that to do this, in no degree infringes on our principle of withholding religious instruction. We may teach them as they would be taught at Oxford or Cambridge, if the study of Arabic were practically pursued in either University. Those, moreover, who think that we conform to the rule by excluding the Koran, take but a superficial view of the subject. The mission of Mahomed, for instance is the basis of Mahomedan law, and in the Hedayah many rules of conduct will be found which rest on no better foundation, and have no higher sanction, than a tradition of some revelation to the prophet, more false and more absurd perhaps than any thing to be found in the Koran. On these grounds, and looking to the peculiar constitution and exclusive character of the Madrassa, I should be disposed to brave any amount of cant and nonsense, which the introduction of these books may evoke.' But if it were 'cant and nonsense' to protest against the study of the Koran in a college endowed and maintained with the express view of teaching Mahomedan literature, is it not 'cant and nonsense' to forbid the study of the Bible in colleges established for the express purpose of teaching English literature and European history and science? Yet the same Government that see no danger to their neutral policy in encouraging the study of the Koran, shrink with sudden sensitiveness when they are asked to make the Bible a class-book in our English colleges!

Our second reason for the introduction of the Bible is that a knowledge of it is indispensable to the moral education of the people. The precepts inextricably interwoven into its historical narratives and biographies, form the basis of all true moral philosophy. The study of this philosophy has not been so popular in Government Institutions as the study of the physical sciences; and the reason appears to be, that it is taught superficially, because the Bible is not acknowledged as an ultimate authority. From this Book alone do we learn the true source of all moral obligations; here we have the fullest explanation of man's moral nature and its intricate workings; here alone do we learn emphatically to know ourselves. To this Book do we make our ultimate appeal in all doubtful moral questions; its precepts and principles we uphold as the standard by which our social relations ought to be regulated, by which, too, we judge the moral character of our literature. Can there then be moral training without the Bible? It is impossible.

But why need we stop here? As the guardians of the public morals, it is the duty of the Government to discover and lay bare the prolific source of all the vice and immorality that flood

the land ; and they must acknowledge that it is the religion of the people that has caused their moral prostration. And what would be the duty of the state in the face of such a discovery ? Obviously to use every lawful and wise means to loosen the hold this religion has on the minds of its votaries. And this ought to be done now. But would not setting their face against Hindooism and Mahomedism be a violation of the neutral policy the Government have pledged themselves to ? It would ; but the Government have no right to have a neutral policy. Their neutral policy is an immoral policy and an offence to God. We can understand such a policy being perfectly fair and justifiable in the case of two religions both of which are false ; but to declare for neutrality when virtue and vice, purity and licentiousness, light and darkness are concerned, is not only to obliterate all moral distinctions, but positively to exalt vice and make darkness preferable to the light of Divine truth. The Government altogether mistake their relation to the people of this land. The question is not whether Christianity as a religion, may or may not be classed with other religions, in the attitude which a state may assume towards it ; indeed, the question before us, is not one of religions at all ; it is simply whether the Government of this country, are justified in assuming the same attitude to morality and immorality—to loyalty and political disaffection. Hindooism is, essentially, immorality ; Mahomedism is, essentially, political disaffection ; and the question is, whether the Government have a right to degrade that Christianity which teaches the love of God, which inculcates the highest and purest morality, which inspires the soul with good will towards men, and encourages only what is pure and lovely and of good report, to a level with the obscenities of Hindoo idolatry, or the malignant hate of Moslem fanaticism. What right have any Government to be neutral in questions of morality and immorality ? Is it credit, or is it shame, that properly attaches to a policy that glories in viewing with equal indifference, the most debasing sensuality and the most exalted purity, dishonesty and honesty, falsehood and truthfulness, crime and uprightness, the service of devils and the service of God ? The Government set themselves up as the custodians of public morality ; but their neutral policy is the main bulwark in this land of all that is cruel in lust, of all that is destructive of the confidence that should cement the social relations of life, of all that is demonizing in the worship of incarnations of sin, and of all that is dangerous in a rabid fanaticism. How can they protect the interests of public morality when they themselves mount sentry over the haunts

and dark places of vice to guard them against intrusion; when wickedness and crime have but to cry out, 'we are religion,' to receive shelter behind the breastwork of our neutral policy?

To accusations such as these, the Government may perhaps reply, what can we do more than educate the people and show them the folly of their idolatrous superstitions? We rejoin, education has in great measure done this already; but has the character of the people improved? They are thoroughly convinced of the folly, the absurdity of their idolatries; but has the conviction checked immorality, or made them pure, honest and truthful? Is the national escutcheon getting quit of the stains of perjury and forgery? Is caste despised? Is vice discouraged? Alas! no. The people require to be convinced of more than the *folly* of idolatry; they must learn that it is *sin*. Do they know what sin is? Their only idea of it is that of some ceremonial pollution, or the neglect of some religious rite. Of its moral turpitude, of its relation to God and His Law, they possess not the faintest conception. This higher conviction must be created; and to accomplish this, they will need more than a mere secular education. To awaken and urge into activity that moral sense which God has implanted in every human breast, we must give them a knowledge of Divine truth. They must have Christianity, without which all the talk we hear of moral reformation will prove in the end to be.

‘ a tale  
‘ Told by an idiot, full of sound and fury,  
‘ Signifying nothing.’

Christian truths should be mingled with the secular instruction given in our Colleges and Schools; Christian principles should be taught, and the Bible be read, not only on account of its history and its literature, but also for its moral philosophy and its religion.

But before we conclude, let us guard our readers against the supposition that we regard the purely secular education of the Government as an unmitigated evil. Viewed in a Christian light, it cannot but be regretted that this education is not leavened with religious truth; but it is not on this account wholly mischievous. Knowledge is power; and knowledge uncontrolled by moral or religious principle is more likely to become powerful for evil than for good. Nevertheless there is an advantage connected with even such knowledge that makes it favourable to the reception of Christian truth, for it imparts the ability to investigate that truth in its historical and philosophical aspects, and to test its pretensions by means which are accessible to educated men only.

There are sources of evidence, sealed to the ignorant, which none but men of knowledge can appreciate. The philosophy of the plan of salvation may, in its grand outlines, be understood by an unlettered man, provided he is a man of thoughtful intelligence; but Christianity, it must be remembered, is a historical belief, and as such, can be properly estimated only by those whose trained intellects qualify them for historical analysis. To such there is evidence from testimony, from observation, from research, from a reflex scrutiny of the hidden wants of human nature, which cannot but establish an unalterable belief in the Divinity of the Gospel of Jesus. The apostles recognized the difference between lettered and unlettered men when they set forth to declare the tidings of life. They went not to Scythian hordes and barbarous tribes, but to Antioch and Philippi, to Ephesus and Corinth, to Athens and Rome; they went to places where Hellenic culture had in great measure, prepared men for an examination of the new doctrine.

Believing then, as we do, that the better educated a man is, the more favorably is he placed for the reception of Gospel influences, we do not charge the education which the Government give with a tendency to retard the progress of Christianity in the land. It is our belief that the Deists, the Transcendentalists, the Brahmists, and whatever else they call themselves, that constitute Young Bengal are nearer the kingdom of heaven than the multitudes who adhere with all the tenacity of ignorance, to the gross superstitions of their fathers. They occupy a transition state, which must ultimately be relinquished for Christianity. Theirs is just now only a negative creed, and nature does not abhor a vacuum more than the soul of man a negative creed. Young Bengal must therefore soon look out for something positive, and that positive thing will be the Gospel of the Christ. If however the present policy of the Government is persisted in, the result we are anticipating, will owe none of its success to them. Their neutral policy forbids them to do any thing for the moral improvement of their subjects, and by that policy, they must be content to be judged.

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ART. III.—1. *The Jail Manual*. By C. Hathaway, M.D., Lahore.

2. *Jail Circular Orders*.

3. *Punjab Jail Reports*. 1860-61.

OVER-ZEAL in the advocacy of a cause is only too apt to rouse a spirit of vindictive opposition, which forgets that ordinary decorum is essential to fair controversy. When men act as if under the conviction that their motives are an atonement for the means they employ, they must not be surprised if the public repudiate their theory. It is of the highest importance to the cause of morality that sincerity should never be accepted as a justification of indiscretion; for if the world were disposed to judge otherwise, society would be infested by fanatics of all sorts, indulging in unwarrantable excesses under the assumed sanction of what may truly enough be called 'correct motives.' Philanthropy itself has suffered in public estimation from the unscrupulous advocacy of those who glory in having raised it to the dignity of a profession. They have almost justified the censure of the critic who says that 'if, by any stretch of mis-understanding, philanthropists can commit an illegality, they will.'

One of the departments of philanthropy has of late been so paraded before the public, and its advocacy so peremptorily declared to be a public duty, that it has rather lost than gained ground among those who were not less its friends because they were more temperate as its advocates. As the most recent exhibition of fatal zeal in the defence of a social cause, we refer our readers to the conduct of certain anti-slavery societies in the case of the fugitive slave Anderson. How the English applicants for the issue of the writ of *habeas corpus* into Canada have influenced the temper of the Canadian public on the question of slavery in general, may be inferred from the indignant language in which the colonial journals have discussed the subject, and the severe terms in which they have denounced some of the anti-slavery societies of England.

Nor yet has the most holy cause of all—the cause which connects man's highest duties on earth with his most cherished hopes in heaven—escaped injury from the efforts of those who 'loved it not wisely, but too well.' Though the paramount importance of religion must ever be its best protection against slight

or censure, yet its enemies have not been at pains to distinguish between religion and the phantom which some warm minds have associated with it.\* If it fares thus with over-zeal in the advocacy of a cause the importance of which no man can exaggerate, what must it expect when it labours in the defence of the ordinary interests of society, which a man may accept or reject without incurring censure or gaining approval? Nor is it less true that whenever this liberty of choice has existed, men have invariably embraced the cause which, if not generally popular, had yet no reasons to be ashamed of the allegiance of indiscreet partisans.

Though the question of crime has been discussed from every point of view, the subject of this article has not as yet attained the distinction of a social cry. Much that has been said or done in its behalf has been characterised by that regard to common sense which leaves us but few prejudices to combat; much has already been done for its practical advocates by the able theorists who have succeeded in popularising its details; but much yet remains to be done, and if we can refrain from the over-zeal, of which we have spoken above, there are no just grounds to apprehend any unexpected opposition from the public.

In fact the condition of our criminals is not a subject which admits of the display of much enthusiasm, nor has it ever been so zealously advocated by any large body of public men as to draw on it the gibes and sarcasms of an exasperated opposition. Negro slaves have had as many vain-glorious though sincere friends, as determined and bitter enemies; a plausible case is made out for them by a mere setting forth of their real or fancied wrongs. Their loss of liberty, their moral degradation, their helpless condition and their generally inhuman masters, will always enlist in their behalf the sympathy of even those whose self-love is otherwise proof against the ordinary weaknesses of human nature. But for men convicted by a court of justice it is not easy to invoke even just compassion; it is not easy for the public to sympathize with those whose sufferings seem to be ordained by the laws of their country. Far from deserving the censure of late so liberally lavished on us 'for attempting to rescue men from the natural retribution of their own acts,' we aver on the contrary that the public are willing to acquiesce in a little more misery for those who, as it sometimes may appear to them, have even in the sight of the law some misery to suffer. It is only in cases of

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\* 'The multitude,' says Ricasoli in his letter to the Pope, 'little accustomed to subtle distinction, may in the end be led to impute to religion that which is but the act of men who are its ministers.'

revolting retribution that attempts are made here and there to mitigate the sentence.

Far be it from us to plead for licence or to relieve vice of its drawbacks, but let us warn our social philosophers against any over-great severity in the treatment of those who have offended against the law. 'Over-great penalty,' says Lord Bacon, 'besides the acerbity of it, deadens the execution of the law;' while the illustrious Beccaria describes 'the end of punishment' to be no other than to prevent the criminal from doing further injury and to prevent others from the like offence.' It is not politic to overlook the leading maxims of penal legislation, but it is a matter of congratulation with our jurists that, to some extent, the severity of some of our penal enactments were rather threatening than destructive, and that when a general practice had opposed law, experience confirmed us in the belief, which the memorable master of the Rolls, Sir William Grant, did not fear to avow, 'that, there was no doubt the law was in 'wrong.' Jeremy Bentham also observes in words shewing deep insight into human nature that 'the mildness of the national character triumphs when the law is unjustly severe.' We do not contemplate the extinction of crime, and if such a moral crusade were practicable, cruelty would not ensure success; but if intimidation could prevent crime, the system of Draco is the only sound one. It is not our object, however, to discuss here either the nature of crime or the justice of punishment, nor yet to inquire into the merits of our penal statutes, and to provide for the offences under their cognizance what we may deem adequate penalty. We do not emulate the ambitious labour of jurists and legislators, but are content with the honor and responsibility of an humbler task: we shall venture to suggest in these pages the means by which the most ordinary mode of punishment may be utilized both as regards the interest of Government and the necessities of society.

Simple though the nature of imprisonment may be, social philosophers have not been unanimous as to its object. It is not easy to determine whether imprisonment should aim at punishment or reform, or to quote the words of the once angry disputants, 'whether it was to be moral reform or penal discipline?' Is the criminal to suffer to the extent of his guilt and be allowed to return to a life of evil, or is it necessary that we should adopt means to reform his character, while he is suffering the penalty of past misconduct? There are some who are only too willing to solve the question by the light of *lex talionis* while others would so far forget the nature of penalty, as to overlay it altogether with the attempt to reform. Indeed, the majority seem inclined



to advocate reform at the cost of punishment, but as it may easily be supposed such a system is seriously defective in its practical bearings.\*

We are willing to admit the justice of the remark that 'not 'one out of a thousand thieves has been reformed by passing 'through a prison,' yet it would be dangerous to attempt to reform a criminal without subjecting him to the penal consequences of his conduct. But to blend punishment with a moral education much more effective in its deterring virtue than the inconvenience consequent on the loss of personal liberty is the system which we propose for general adoption. Though we advocate the blending of punishment with reform, we cannot forget that the security of society, not less than the sense of public justice, demands that we should punish the guilty first, and, if possible, reform him afterwards. To weaken the penal element of our system would be to convert our attempts at reform into a dangerous parody of useful benevolence. We must not offer the guilty any advantage over the innocent, or any other terms than those of strict justice; whether we do or do not succeed in reforming him is a matter of small importance when compared with the stern duties his conduct has entailed on us.

We entertain no doubt on the subject so eloquently discussed by a writer in the *Cornhill* that 'the majority of criminals can be 'reformed.' A committee of the House of Commons have elicited facts, which conclusively prove that the failure of our attempts may be more justly ascribed to the faulty system employed than to any extraordinary turpitude in the criminals themselves. If to punish the guilty without attempting to reform him be preferable to the Oriental system of retaliation, it is certainly not a system of prison discipline adapted to the wants of the nineteenth century; on the other hand, it is absolutely impossible to reform the criminal without subjecting him to the punishment his conduct has deserved; such a proposition does not require proof. The advocates of a purely punitive system forget that not only the present but the future also has a claim on our attention, while such as would sacrifice to a morbid feeling of philanthropy what is due to justice, cannot comprehend that an injury

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\* In Sir Joshua Jebb's Annual Report on the English Convict System, the following occurs:—

'The general principle laid down is that the means of reformation should 'be united with punishment, but that the deterring feature of the sentence 'should predominate. The system now in force in England combines these elements in a proportion based on experience; and there is reason to believe it has 'proved more conducive to the combined objects of repression and reformation, than if any undue prominence were given either to one or the other.'

having been committed, expiation is the necessity which must be first satisfied.

Our system therefore is to blend the penal, in itself never sufficient, with the correctional, which is now generally admitted as the only reasonable mode of handling criminals. Not to deprive imprisonment of any of its discomforts but to render its operation certain and its provision adequate are the objects we have proposed to ourselves. In striving to impress on the public mind the importance of the reformatory principle, we do not forget the primary object of punishment. We can only reform such as have already been convicted, but it is the penal character of our system which is to avenge the injury done, and warn others from doing the same. It is not difficult to perceive then, that, while our means of reform are limited to the convicted few, the deterring influence of punishment is intended to work on the large majority, whom we are bound to consider innocent.

If our system does not spring 'from any original starting point' we have at least been enabled to accept or reject the experience of those who have worked before us. The system has in its essentials already received a fair trial in Europe, and with what success the reading public are well aware.\* But we have neither borrowed so largely or copied so closely the European system, as to forget the principle of assimilation without which no institution not indigenous to the country can flourish in it.

Having defined the objects of our system we shall now proceed to describe the means by which we hope to attain them; we hold out hopes of improvement to every prisoner whatever be his character or his guilt, and offer him all reasonable means of realising those hopes. We offer to the 'professional' malefactor the means of recovering his lost liberty and to some extent even his social position, and endeavour likewise to impress on his mind the guiding fact that, the prospects of each individual prisoner depend solely and entirely on his own exertions and on his conduct in jail. We trust to the influence of hope to rouse the reckless apathy of the most confirmed criminal, and to induce him to

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\* The following we extract from an article in the *Times* of the 4th of January last, on Sir Joshua Jebb's Report for 1861:—

'We shall have said enough when we state that a small percentage only of convicts out on licence have proved undeserving of the indulgence, and that, notwithstanding the retention of these classes at home, and the increase in the numbers of our population, crimes and convictions are generally diminishing. That seems a conclusive result, and if we may believe in its finality or permanence it certainly reflects no small credit on the promoters and conductors of the system which has produced it.'

look up from even the depth of his misery and to strive for a better state of living.

The hopes defined, the means of realising them laid out, the other details of the system are matters of trifling difficulty, but yet we cannot forget that the system itself must be raised above the influence of individual caprice. No indulgence should be purely a matter of option with those to whom the working of the system may be trusted. It must not rest with them to forgive an offence, or to set aside a just claim to consideration; and if a prisoner has deserved an indulgence no man's impressions of him should militate against the principle on which it ought to be conceded to him. We must not permit any accidents to disturb the happy results, which we expect from the working of a perfect organisation. We must have either order or anarchy, a compromise is impracticable.

We are told by Sir Joshua Jebb that a disagreeable change in the prospects of the prisoners in 1857, made them unruly, sullen, and heedless of consequences. But to handle them with the least hope of success, we must influence their will so as to make them careful of consequences, whether for good, or for evil. It must be explained to them that they must either labor hard and behave properly to profit by the advantages we offer them, or follow their own vicious will and pay the penalty of their conduct. No refractory prisoner can long continue even in a state of comparative immobility; he must advance and save himself, or fall back and suffer. A correct record is preserved of his daily life, and he finds at the end of his four months' trial that a halt is not less unpleasant than a retreat, and the only means of avoiding the severe penalties of a backward move is to keep up a course of steady, even if slow, advance.

Individualisation furnishes a powerful motive to action. Where every man considers himself part of a system, to be praised or censured with a large body of sympathisers, the motive for individual exertion is weak. On the other hand, when a man regards himself as individually responsible to himself and to the public for his condition in life, he seldom fails to win for himself a fair share of the success which he has to divide with others, equally zealous to win in the struggle; and even if he is left behind, he will have at least the satisfaction of laying the blame on himself and not on his stars. Under the present system of jail discipline, disorderly conduct is punished with stripes or solitary confinement, but beyond the momentary personal inconvenience the culprit is neither better nor worse off than the rest of the prisoners; under the system we propose

every offender against the jail rules does not only suffer immediate inconvenience, but he finds himself distanced by others in his prospects of liberty.

We propose three periods of probation. Firstly, The compulsory out of door labor of the special class; Secondly, Solitary confinement and associated labor; and Thirdly, Tickets of leave. We also propose to divide the jail into four classes: The Special Class, then Class No. III. Class. No. II., and Class No. I.

'The special class has been tried for three years, and so far as it has been carried, it has been attended with marked success.' Thus writes a contributor to the *Cornhill*, and, as far as our own experience of certain similar attempts in the Punjab can serve as vouchers for future experiments, we are certain that its general introduction would justify our strongest expectations.

The special Class is to consist of, 1—All prisoners sentenced to four months imprisonment or under, not including the periods of commutation for fine and stripes. 2—Of all prisoners who have been sentenced to imprisonment in default of security for good behaviour. 3—Of such prisoners of the second class as have been allowed, as an indulgence, to complete the last four months of their term in the special class.

Special Class prisoners are to build their work-sheds under the outer wall of the jail, in one row and of a uniform size; if the sheds are built of any combustible material, they must be completely clayed over before occupation. No doors are allowed, but *tatties* may be used during the rains, the sheds are not to be walled off into compartments.

Special Class prisoners must work ten hours a day and cannot leave the workshop, without express permission from the superior officer present at the time. Such as are able to find securities for appearance may be permitted to sleep in their homes. One guard should be allowed to every ten special class prisoners, and an extra guard for every addition of fifteen prisoners to the class. The guards must count the prisoners sleeping in the workshops three times a night; prisoners are not to be disturbed in their sleep, unless unavoidably, nor is it necessary to identify each individual. Special Class prisoners may have half an hour's rest after mid-day, but they cannot leave the precincts of their jail quarters during such half an hour of rest, unless permitted by the jail officer or his head native subordinate. The standard of their daily work is to be adapted to that of free labor. Special Class prisoners are to complete their sentence of imprisonment by the number of working days. Three months imprisonment expires on the evening of the ninetyeth day, exclusive of Sundays, and periods of

sick leave. Cases of illness are to be certified by the Medical Officer in charge of the jail, otherwise the prisoner's absents himself from work renders him liable to punishment. Special Class persons are not entitled to any leave of absence except on medical certificate.

Special Class prisoners are to be allowed a gratuity amounting to one third of the proceeds of their labour. When it is feasible the prisoners must receive cash payment for their work, a third of the amount earned being made over to them. Should this not be practicable their accounts shall under no pretence whatsoever be delayed more than six weeks, during which time prisoners may receive daily advances for their food, or they may mess with the rest of the jail by paying for their rations. Special Class prisoners are to dress at their own cost,—each man according to his own liking—and he may purchase clothing material from the jail stores on credit up to the amount of gratuity already due to him. Special Class prisoners have to pay for their guard. Cases of contumacy, absence without leave, or any other infringement of jail rules are to be punished with loss of gratuity, stripes, or solitary confinement. Escapes must be punished as if from close imprisonment. Special Class prisoners shall not be allowed to enter the jail, and every breach of this rule should be severely punished.

Female prisoners of the Special Class are to be treated like the males, but in default of securities for appearance, a contingency not likely to occur often, they must be sentenced to close imprisonment with third class prisoners of the same sex.

On starting the Special Class, it should consist of all such prisoners as are suffering imprisonment in default of security for good behaviour.

The rest of the prisoners are to be divided into three classes. The third class is to consist of: 1—All cases of re-committals, unless specially exempted for good conduct. 2—All lazy and doubtful characters. 3—All those who have four months or less than four months of their terms of imprisonment to undergo. 4—All those who have been punished with stripes within the last three months of the formation of this class.

After the formation of the third class every prisoner on admission into jail must serve a probation of four months in this class before he is entitled to promotion. The third class is to be recruited by admissions into jail, and by reductions from the higher classes.

The three classes shall be kept separate from one another in the workshops, as well as in the sleeping wards. Third class

prisoners are to wear on the back of their *koorta* three red stripes; the other classes a number corresponding with their class in jail. Third class prisoners cannot communicate with their friends or relatives *under any necessity*; two thirds of the solitary cells are to be occupied by them in rotation, they are to be punished with the utmost legal rigour for the very first offence, and for every such case of conviction the prisoner must have an extra month of hard labor in the third class. They are neither entitled to any remission of the original sentence, nor are they allowed to fill any of the coveted offices in the jail.

Third class prisoners are to be sub-divided into three stages; the first, should consist of such as have six months, or under, of imprisonment to undergo; the second, of such as have twelve months and not less than seven months; and the third, of such as have over twelve months.

They are to be re-divided into three grades according to conduct and industry. At the end of each week two numbers are to be entered against the name of each prisoner; one, to indicate the nature of his industry and the other of his conduct in jail, three being the maximum number of marks, two the medium and one the minimum. After every four months trial, those who have obtained three fourths of the maximum both in conduct and industry, will have entitled themselves to promotion into the second class.

It will be optional with the jail officer, to divide the third class prisoners into working parties, and place them under the responsible charge of the select men of the first class. Third class prisoners who cannot claim any indulgence and who cannot be reduced to a lower class, are to be punished with an additional month of hard labor in the third class, for every case of breach of discipline. But when a higher class prisoner is reduced, he must work four months in the lower class before he is entitled to promotion. If a first class prisoner is reduced to the second, he also forfeits a moiety of the term of remission to which he might otherwise have been entitled. A second similar reduction deprives the prisoner of all claims to remission, besides rendering him liable to any other penalty which he may have incurred.

On starting the second class, it shall consist of prisoners of orderly habits and ordinary working capacity, who have not been punished with stripes or solitary confinement within the three months preceeding the formation of this class. The second class shall be recruited by promotions from the third, and reductions from the first class. It must furnish occupants to one third of the solitary cells; second class prisoners may receive visits,

from their friends and relatives once in two months, provided always that there be not allowed more than five such visitors in the jail on any one day. Unless guilty of any gross breach of discipline, second class prisoners shall only be reduced to the third class for the first offence; they may also, as an indulgence be allowed to serve out the last four months of their sentence in the special class; ten per cent of their number may be allowed extra food, at a cost of four annas a head, for any remarkable application to work.

The prisoner who makes a fair progress in reading and writing, or successfully assists others in doing so, is to be considered entitled to the highest mark for industry. Every prisoner in jail must be taught to read and write; those in the first and second classes must shew fair progress in their studies or be reduced and otherwise punished.

The first class shall be formed out of master workmen if well behaved and industrious; of all *Lumberjacks*, if properly selected; and of all clever workmen, who bear a good character. This class is to be recruited entirely by promotions from the second; jail officers must not be hasty in the award of the indulgences to which the first class prisoners are, under certain conditions, entitled. That these indulgences may act as incentives to good behaviour, they must be reserved for those who have earned them by general good conduct and not through the mediation of friends; an abuse of them would result in the substitution of licence for what we may justly call restrained freedom. The second and third class prisoners may at the discretion of the jail officer be divided into small working parties, and be placed under the surveillance and orders of the select few of the first class. A first class prisoner cannot have a stronger claim to indulgence, than a successful management of the prisoners placed under his charge.

A first class prisoner must shew a fair proficiency in manual labour, and a fair progress in 'schooling,' and must also bear a good character; efficiency in other respects is not to atone for any drawback in this particular. First and second class prisoners must be divided in grades and stages like those of the third, they must also be housed apart, and no means be neglected to perpetuate the distinctions between the different classes.

The indulgences allowed to the first class prisoners are remission of a portion of their original sentence; exemption from corporal punishment; permission to receive two visits a month from their friends or relatives; the allowance of a monthly gratuity. First class prisoners are allowed to lay out half

of the amount of their monthly gratuity on food or clothes ; they may also be employed in Government works, if furnished with a certificate of good character.

Ten per cent of the first class prisoners are to be allowed a gratuity of twelve annas per month, and fifteen per cent of the remainder a smaller gratuity of eight annas per month, provided that the first class grantees have obtained three fourths of the maximum marks allowed for conduct and industry, and the second class grantees two-thirds of the said marks. If the number of those who are entitled to first class gratuities exceed the number of such grantees, they shall hold and enjoy the second class gratuities in preference to those who may be technically entitled to them. First class grantees may dispense with the jail uniform, and otherwise provide for themselves at their own cost. At the discretion of the jail officer two of the first class grantees may once a month be allowed to absent themselves from the jail on business, but on no account are they to be allowed to stay out more than four hours, and the fourth hour of the leave shall not be later than two and three o'clock in the afternoon.

Of the remissions to be granted as rewards for good conduct and efficiency, we subjoin the following scale :—

In the case of a twelve month prisoner the remission may amount to one eighth of the term ; of sentences ranging from fourteen months to two years, one sixth may be remitted, of sentences of, from three to four years, one fifth may be remitted ; and of sentences of from five to seven years, one fourth may be remitted.

The condition under which remissions can be allowed are,

1. The promise of good behaviour during the term of the remission ;
2. The revocation of the licence to entail on the defaulter imprisonment for the full term of the remission ;
3. The prisoner on ticket-of-leave is bound to keep the police informed of his whereabouts ; and in default of doing so to be liable to revocation of the licence ;
4. When the licence is revoked the prisoner is to be re-admitted into the third class.

A third class prisoner must strictly observe the jail rules ; the first infringement of them subjects him to the utmost rigour of the penalty he has incurred. On the other hand it is in his power to work his way up into the second class and thence to the first where he shall have an enlarged freedom of action, and whence he may obtain his liberty under certain conditions.

It is necessary for the success of our system that it should be worked out by officers of experience, who have evinced an aptitude for jail management. Once established on a practical



basis the system, we think, would work with ease and uniform success; but it must be borne in mind that the least want of care or vigilance in the directing mind, would render failure inevitable. The jail officer should be the *de facto* governor of the jail, all interference with his orders by his official superiors should be unsparingly condemned. The district officer must support him with his authority, and the jail darogah must assist him with his intimate knowledge of individual prisoners, and of the internal economy of the jail. The district officer may hold the jail under direct management; but when he has once placed it under the charge of an assistant, he should never allow himself to be influenced by any feeling of jealous competition with his subordinate.

● If the district officer finds it necessary to interfere, let him rather resume charge of the jail than suffer it to continue under any mismanagement that would necessitate the unseemly meddling of two authorities. Conflicting influences are fatal to discipline, and the system which depends so much on a homogeneous organization must succumb under the irregular action of hostile jurisdictions.

We must protest here against the involved duties of jail officers in the Punjab. Unless the evil is remedied at once, we must cease to look to that province for any progress in jail management. Besides a heavy file of revenue and judicial work, which cannot for ever so short a time be permitted to fall into arrears, the jail officer has charge of the Civil Treasury and is also trusted with the responsible duties of Secretary to the Conservancy Committee. Under such circumstances it is impossible for him to devote to the most irksome and, officially considered, the least important work, any time which he can with advantage apply to the discharge of the more congenial duties of Judge. It is thus that his native subordinate assumes charge of the jail and the jail officer subsides into a nonentity, as far as the jail is concerned, who may, at the will of his *de facto* master attach his signature to jail returns of which he does not pretend to know much, and to jail accounts of which he absolutely knows nothing.

■ In behalf of the Punjab jails we advocate a different division of labor; the assistant in charge of the jail should have no direct or active connection with either the Civil Treasury or the Conservancy Department, and he may then be expected to afford to the control of his charge a more undivided attention. Considering that the number of the Punjab jails have been most judiciously reduced, and an attempt has already been made to assign to each a branch of manufacture for which it may

possess peculiar facilities, we have reasons to hope that the supervising work of the European officer, will be lightened without impairing its efficiency.

We warn jail officers against too hasty a distrust of their native subordinates, as well as against the mischievous system of espionage. It is notorious how an officially recognised spy converts his influence with the jail officer into its value in money, and how, after a short career of doubtful usefulness, he succeeds in establishing a reign of terror within the precincts of the jail. All *bond fide* information must be acted on after strict inquiry, but no systematic espionage should be permitted to introduce a dangerous element into the executive.

It is also a very unsafe policy to administer severe rebukes to the jail darogah in the presence of his subordinates. Such a demonstration of ill will from the *de jure* against the too often *de facto* governor of the jail is subversive of discipline. The European officer cannot always be present in the jail, while his native assistant is at least expected to be so, and if the prisoners and the subordinate jail establishment are taught to contemn the darogah's authority, it is impossible to conceive by what means the jail officer hopes to preserve discipline among them. We strongly censure the laxity which permits the darogah to assume and exercise equal authority with his superior officer, but yet it is the *sine quâ non* of successful jail management that he should supervise the internal economy of the jail, and report for superior orders every case of irregularity that may fall under his notice.

The leading provisions of our system must be explained to every prisoner on admission into jail. This explanatory instruction is the darogah's special duty and he should be warned against slurring over so important a task.

It may not be unreasonable to expect that every prisoner will learn a good deal of his prospects in jail from those who have served some time in it, but by a direct official explanation we may be able to impress on his mind the importance which we attach to the subject. Every prisoner must learn from the jail authorities the connexion between his prospects in jail and his individual conduct in it; he must also learn from them what he has to hope from good conduct and successful industry, and what to fear from wilful mischief or contumacious idleness.

There will be in almost every jail some desperate characters, who would baffle all human efforts to reform them; but we must not lose sight of the simple and effective though harsh means at our disposal to counteract the force of their vicious example. In the

treatment of the incorrigibles we must adopt a mode not only summary, but also severe; for though a character for hardihood is associated with spurious honors both in and out of jail, yet the limits to human endurance are easily reached. In short we must not permit any hero worship among criminals; a hero in jail affords strong constructive proof of an imbecile in charge of it, and we cannot allow the shirking of due responsibility by a reference to the inherent character of the evil. No class of men have a keener relish of vulgar humour than those who have acquired some experience of criminal life; an easy going jail officer is the never failing subject of jail pleasantries and under such a weak shepherd the flock may be happy, but obedience will only be a matter of option. No just exercise of authority on the part of the jail officer can maintain even the shadow of order, if every attempt at reform is strenuously opposed, and the pliable authorities give it up as a practical impossibility. As a matter of course the jail hero leads the opposition, and unless his pretensions are humbled, it is impossible to enforce anything beyond the appearance of discipline. It stands to reason that the prisoner who successfully takes off the jail officer is not likely to submit patiently to the authority of the jail darogah; the jail establishment are in dread of his displeasure and concede to him the privilege of discretionary obedience to the jail rules. The jail hero is generally well informed of the malpractices of his comrades, and is not forgetful of the criminal leniency with which the jail establishment have condoned them. He jealously guards against any interference with the exercise of his prescriptive privileges, and if left alone is not wanting in due indulgence for the faults of others. But any complaint against his authority is effectually silenced by a threat, the sincerity of which is well vouched for by his reckless character.

A jail officer who has taken pains with his charge cannot be long doubtful of his antagonist. Having singled him out as an example to the rest of the jail he can proceed against him most successfully by carrying out to the very letter every jail rule in force. As a matter of course the jail hero is the chief offender against these rules, and under a vigorous management the jail establishment never fail to bring him to the notice of the European officer, and leave him to struggle as he best can against the chief controlling authority of the jail. The contest may be protracted, but the issue is never doubtful; the hero feels the spirit of the charge; the happy days of subordinate management are over; he affects the most sublime indifference to punishment, and continues to pride himself in a

short-lived notoriety for unflinching hardihood. But between the hero and the martyr, the difference is not one of degrees. Adversity makes the martyr; the hero finds adversity unbearable. Once more he alters his programme and goes a step lower in the scale of distinction; he turns an informer and begins to stir up the cesspool of jail iniquities. The jail officer is of a sudden overwhelmed with criminal information against the jail establishment and any individual prisoner, who might have been slow of sympathy for the enraged hero. If the jail is not to be disorganized a general amnesty should follow a general warning, and all future delinquents treated without regard to the past. The baffled hero then descends from a position of power to one of contempt, and here ends his career of criminal glory. Reduced diet, solitary confinement, and corporal punishment are unfailing cures of so called incorrigibility, and in the treatment of such cases the utmost legal rigour should be adopted, for the question at issue is, whether order or anarchy is to rule in the jail.

Among the junior members of the Punjab commission a love of short imprisonments seems to have received an unfortunate development. In some cases the evil has found its way among officers of a wider experience. It betrays inability to appreciate either the duties of a magistrate or the objects of punishment; the magistrate seems reluctant to punish any, or too eager to punish all. Short terms ought to be very rare; where a fine would suffice, imprisonment is neither just to the criminal nor fair to the state. Fractional portions of a week should never enter into a sentence; no such nice discrimination is necessary in practice. A short term of imprisonment is often awarded, when a fine would meet the emergency of the case or when a longer term was necessary.

Professional offenders do not object to short terms and even seem to relish the alternation of liberty with imprisonment. Short terms cannot afford any reasonable opportunity for the operation of the reformatory element of a system, while they inflict certain loss on Government. Those who cannot discriminate between the necessity which would only warrant a fine and that which would justify a long term of imprisonment, are certainly wanting in an important quality of the judicial mind without which judicial efficiency is utterly impossible. We do not advocate too great a nicety in adapting the penal award to the offence, but broad distinctions should be observed if crime is to be punished and the pecuniary interests of the state to suffer no loss. The advocates of short terms have been consistent in their inveterate liking for solitary confinement, and though in theory

the principle they avow is perfectly correct, its practical defects are too glaring to pass unnoticed. We should wish all jail officers impressed with the necessity of strictly adhering to the provisions of the 73rd and 74th sections of the Penal Code. We should never punish any prisoner with solitary confinement more than once a year, exclusive of the period he may be specially sentenced to on conviction. Any unnecessary severity in the infliction of this terrible punishment is attended by those painful results, which the late Dr. Daly so feelingly described.

Viewed theoretically every prisoner ought to defray the costs of his keep, in practice however this never has been or ever will be attained. Though the obstacles which stand in the way of all such attempts at economy are not such as can be completely overcome, yet we shall offer a few suggestions which may help partially to overcome them.

Foremost among these obstacles is the very nature of forced labor. Compulsion has never proved a successful substitute for the motives of self-interest, which render free labor remunerative; in Cashmere where public works are done by impressed labor, even a small daily allowance has not proved a sufficiently strong inducement either to increase the quantity, or improve the quality of the work. This evil is inherent in the nature of imprisonment and must be accepted as irremediable; but by connecting the prisoner's prospects of liberty with his conduct in jail, we hope to supply him with motives for increased industry, and a more intimate interest in his work.

Though guards are indispensable to penal custody, they have hitherto been maintained at a cost which we do not attempt to justify. We trust, however, that with a special class and a fair system of ticket-of-leave, we shall be able to effect some reasonable reduction in this item of prison expenditure.

Every prisoner pays for his medical attendant, and the charge even if fair, is one of the necessities attending imprisonment. While free, he is killed or cured without any other cost to him than that of some physical pain, which he values less than money. He may be saved in the jail hospital, while the neglect of his village home may kill him, yet the consideration does not affect the pecuniary question, and the man who pays for his cure is in this respect worse off than the man who does not. Energetic labor, continuous but not excessive, is not less desirable in jail than out of it, and care must be taken that no prisoner whatever may be his taste or liking, is denied this healthy exercise. Charity cannot avail the poor in jail. He may be a professional beggar and his new career of industry may be strange and

income, but yet as long as he is in jail he is treated as a productive laborer.

We must also recollect that it is not every man out of jail that can honestly provide himself with the means of independent livelihood, and that many incur the alternative of debt. The poorer classes are but 'indifferently honest' in repayments of money obligations, and sometimes fresh debts are their only source of income. But as long as the bankrupt continues in jail—and the jails have a very large proportion of those who do not or cannot pay their debts—he cannot incur debts; though his love of industry is not increased by his being compelled to labour. He may work ill or he may work well, but he must be paid according to a standard dietary, and that standard is invariably high.

Peculation among the jail officials is also a charge against jail industry; jail officers who fancy that the ordinary supervision of indoor works has destroyed peculation among the jail establishment go far to prove how powerful faith is, when a habit of idle credulity precludes inquiry. It is impossible to check peculation in accounts by placing against the price of the raw that of the worked material, without also comparing the quantity of each. A maund of worked cotton is naturally much more valuable than the same quantity of the raw material, but unless the weight of the worked cotton is compared with that of the raw material provided for the manufacture, we shall be unable to calculate the value of the labour expended upon it, or check the peculations of the jail establishment. We do not produce in any of our jails such highly finished goods, as to render the application of the proposed test at all difficult; we know from our experience of one of the Punjab jails how successful the test was in checking the wholesale fraud of the darogah and his efficient staff of dishonest underlings.

It is impossible to overlook the mischievous results of the injudicious allotment of labor in jail. A free laborer makes choice of a trade, confines his attention entirely to it, and after the usual term of apprenticeship he earns by it his means of livelihood. If he is imprisoned, in nine cases out of ten, he is put to some work for which he has neither taste nor capacity, and, while he is undergoing a tedious course of preliminary teaching, the cost of his keep is a loss to Government. Sometimes the mischief is unavoidable; in a district jail a shawl weaver is an unproductive laborer, and lives on the charity of the Government. This however is merely an accident and does not always admit of a complete remedy; but it is the general evil which arises from a want of proper attention to this subject on the part of the jail authorities to which we have drawn our readers' attention.

The world outside the jail does not emulate our imperial apathy, and free labor is consequently remunerative. We are not told why labor and capital should be wasted in the production of goods for which there is no demand or which cannot be sold without actual loss. It is not usual with the monied world to buy in a dear market and sell in a cheap one, and still less to buy what cannot be sold at all. The jail officer can easily ascertain the wants of his own and the neighbouring districts, and the jails may so arrange it among themselves as to supply one another with articles of mutual necessity to their mutual advantage. It may speak in favor of the high artistic taste of the jail officer, if he succeeds in the manufacture of Turkish towels and fancy carpets, but while we have to contend for economy, the fine arts may with advantage be left to those who have the means and leisure to devote to them.

We should allot to each jail the manufacture of certain articles of general demand for which it may possess peculiar facilities. It is not intelligible to us why every jail manufactures its own clothing, if one jail in each division could supply the rest with the necessary material at a smaller cost? Committees may be appointed in different parts of the country to inquire into their local productive resources, and thereby determine the different manufactures, which may with advantage be apportioned among the several jails. Then when the division of labor has been judiciously effected, we should be in a position to undertake commissariat contracts, and undersell all private competitors. A jail ought to rest satisfied with small profits, but small profits must be made on large returns before they will replace the stock, pay labor, and remunerate the capital employed on them. It secures far larger gain to employ large bodies of men in one profitable work, than to engage them in different manufactures for which there is doubtful demand. Large bodies of men working in concert work more effectively and have greater facilities of improving the quality of their work; labor is better economised; accounts are better kept; and not the least of the advantages of combined labor is the profit on extensive purchases of raw materials.

When prisoners are employed on new work, they make the most of their opportunity and work as little as possible; every attempt to expedite work is successfully met by the not unreasonable plea of ignorance. Thus, in the end, Turkish towels and fancy carpets prove expensive luxuries, for which the plaudits of an obscure station are but a poor recompense.

Commissariat contracts should be undertaken by every jail within easy reach of large cantonments. After a very extensive experience under circumstances anything but favorable, we

consider such undertakings highly desirable, and unless the jail management is perfectly disgraceful, they ought to be the most successful of all jail speculations.

Thus far, though very cursorily indeed, have we alluded to the economical aspect of the question before us, and we must confess that it ought not to be subordinate to any other. It has an essential importance of its own. It is a question of no small moment how the punishment of those who have offended against the laws of the country may be effected without any serious drain on the public means; while no fact is better established, according our own experience in the subject, than that the best managed jails are also comparatively the least expensive.

We are not willing to judge the conduct of prisoners by any higher moral code than what has generally obtained among their free brethren. Prisoners are not likely to underrate the profitable uses of dissimulation, and as a rule, it would be unsafe to judge of their convictions from their ordinary conduct in jail. 'We cannot,' says a writer in the *Cornhill*, 'draw any positive inference as to the reformation of a prisoner from his observation of a demeanour very properly urged upon him by his religious minister.' He has neither the scope nor the opportunity for the practice of any high virtue; beyond orderly behaviour and ordinary application to work, we have nothing to expect from him. The restraints imposed on his will are such as almost to deprive him of a choice of action, and therefore his highest merit is comparatively humble; since we have not the means to judge either the nature, or the extent of his reformation, we ought at least to exact from him implicit obedience to the rules for enforcing discipline. As long as a prisoner continues in jail he is subject to a course of discipline, the tendency of which is to reform his habits, but yet we cannot suppose that it is within the jail walls that we can test the results of his education. A prisoner may successfully assume orderly habits, or he may for a time follow the example of the well behaved, but no man with any knowledge of the world would venture to draw any positive inference from his life in jail, as to his probable course of life when emancipated from all restraint. Still we advocate strict attention to his conduct in jail: those who are not reformed must still be orderly and industrious.

We now come to the consideration of the important question of relapse into crime. It is to be regretted that with the means which we possess for ascertaining the mode of life pursued by discharged convicts, we should have failed to collect any reliable data, with the view of testing the working of our prison



system. Some men may reject the necessity of such inquiry, but granting, as we willingly do, that relapses test the reclaiming rather than the deterring character of punishment, yet it is highly desirable that we should know how far punishment alone is effective in checking crime.

Under the existing system the moral responsibility of relapses rests solely with the body of public detectives. Imprisonment can only deter when the chance of detection dominates over that of escape; for even when severity in jail discipline degenerates into simple cruelty, imprisonment is still ineffective as long as the hope of escape is justified by a corrupt executive. The responsibility of relapses under such circumstances rests entirely on those who are entrusted with the detection, and not the punishment of crime.

Under the system we have endeavoured to set forth, the moral responsibility of relapses into crime is justly divided between those who have to detect, and those who have to punish crime. While he is expiating his past misconduct, attempts are made to reform the criminal; he is armed against the dangerous fascinations of a lawless life not only by a just fear of its consequences, but by the stronger, though painfully acquired motive of an abhorrence of crime itself. In the one case external influences alone act on his mind—the dread of the police, the disagreeables of a prison life, and the unpleasant vision of the cane and the triangle are strong checks against evil tendencies—but yet their united force as deterrents is only proportionate to the certainty with which crime may be detected. But the object of moral reform is to furnish the criminal with motives to avoid crime by awakening his mind to a just appreciation of his degraded position, to the nature and consequences of crime and by offering him the means of honest living. When a prisoner has so far successfully resisted the influence of evil associations as to shun crime for other reasons than a fear of its immediate consequences, the success of our attempts is complete, and prison life, with its moral opprobrium and severe discipline, will then be viewed not merely as the unpleasant consequence of a relapse.

It is not necessary that we should now enter into a discussion of the merits or defects of the system of which we have endeavoured to suggest some improvements. If our plan does not justify hopes of a brighter future, at least the principles it embodies have achieved unqualified success in England, Ireland and some countries of continental Europe. We have endeavoured to suggest correctives to the hardening influence of prison life; to hold out hopes of improvement in the guilty; and to indicate the means by which these hopes may be realized.

- ART. IV.—1. *Miscellanies: Prose and Verse*. By W. M. Thackeray. London: Bradbury & Evans. 1857.
2. *Vanity Fair. A Novel without a Hero*. By W. M. Thackeray. Bradbury & Evans. 1848.
3. *The History of Pendennis. His Fortunes and Misfortunes, His Friends and his Greatest Enemy*. By W. M. Thackeray. Bradbury & Evans. 1850.
4. *The Newcomes. Memoirs of a Most Respectable Family*. Edited by Arthur Pendennis. Bradbury & Evans. 1853.
5. *The History of Henry Esmond Esq. Written by Himself*. Smith, Elder & Co. 1852.
6. *The Virginians. A Tale of the Last Century*. By W. M. Thackeray. Bradbury & Evans. 1853.

WHAT connection has Mr. Thackeray with the Indian public, or what interest have they in him, more than in any other great author of the present time, are questions which will involuntarily rise to the lips of most readers who glance at the title of our article. Fortunately, Mr. Thackeray himself has saved us the trouble of a reply. In the story at the beginning of the last number of the Cornhill Magazine a man is described 'tottering up the steps of the ghaut,' having just parted with his child, whom he is despatching to England from India. Mr. Thackeray 'wrote this,'—to use his own pathetic words—'remembering in long, long distant days such a ghaut, or river-stair, at Calcutta; and a day when, down those steps, to a boat which was in waiting, came two children, whose mothers remained on the shore. One of those ladies was never to see her boy more; and he, too, is just dead in India of bronchitis.' The boys were 'first cousins;' had been 'little playmates and friends' from their birth, and the first house in London to which they were taken was the house of their aunt. Who were the boys? Their careers ran wide apart; their fates have been different; but the world has learnt to reverence both. The name of one is not unknown in the regions which lie between the Godavery and the Oxus,—that of the other, rings 'familiar as a

'household word' from the Danube to the Mississippi—Sir Richmond Shakespear and Mr. Thackeray. Who was the aunt? The mother of Mr. Ritchie of our Supreme Council. 'His Honor' was even then a gentleman of the long robe,' adds Mr. Thackeray, 'being in truth a baby in arms.' Mr. Thackeray was born in Calcutta in 1810. His father was in the Bengal Civil Service, and for many years held the office of Collector of Calcutta. A brother or cousin of his (a barrister and well known to us) edited the Bengal Herald. The earliest associations of his mind are connected with this country, and he has himself in a thousand places confessed that the dark and turbaned faces among whom he passed his infancy, and the landscapes with which that infancy was familiar—the palms, the rice fields, the tanks, and the dark blue sky still appear to him in dreams. Under these circumstances, we defy the most ingenious counsel, to make out a case to exempt him from our authority. Nay, personal considerations apart, there is enough of Eastern matter in his works to justify us in considering them as within the limits of our legitimate jurisdiction, and subjecting them to the ordeal of a critical examination. Was not Mr. Joseph Sedley,—Waterloo Sedley,—the Collector of Bogglywallah known to all of us? Has Mr. Thackeray himself not allowed that Mr. Charles Honeyman, the clergyman actor no longer preaches in Lady Whittlesea's chapel, but has gone out to India, and have we not often heard him preach? Cannot many of us recollect the noble Colonel Newcome, who was ruined by that unfortunate affair of the Bundelcund Bank? The regiment, which he commanded, went off during the mutinies, but there are people who still declare it would have remained staunch, had he been at the head of it. The devotion of his sepoy towards himself, personally, was certainly marvellous. Did not Dobbin the author of the "History of the Punjab" win his C. B. ship in India? And was it not at a Town Hall re-union that Glorvina first displayed that beautiful crimson silk dress, which Major O'Dowd thought would finish Dobbin? Is not Mr. Goff, who wears white wash-leather gloves, drinks fairly, likes a rubber, and has a story for after dinner, beginning 'Doctor, Ye racklact Sandy M'Lellan who joined us in the West Indies. Wal, sir,' still in command, or was till the other day, of one of our magnificent passenger ships? Was not Rummun Loll our own prince of merchants? Did he not go to England; was he not admitted into the first society there and reckoned a philosopher, and spoilt by the ladies, till the bubble of that wonderful Bank burst? Where did Major Gahagan perform his wonderful feats of valour? If Mr. Thackeray had

been born in England, he might still be called on to take his trial before us. Indian materials are interwoven in the fabric of all his works, and we have a right to examine if they have been handled with taste and discrimination.

Mr. Thackeray has had a long and hard struggle up the hill of fame. His first efforts in composition fell flat on the public. He piped but they did not dance. Nobody condescended to notice him. The reception was most salutary. A man, that suddenly and by a single effort starts up into popularity, rarely achieves much. Success turns his head. There have no doubt been glorious exceptions to this rule; but generally the writer that 'awakes one morning and finds himself famous' awakes another, and finds himself forgotten. It may be the fashion to praise him for a time, but fashions pass away, and critical rules endure. The scrutiny of severer tests than the mere whims of the hour is applied to his works, and under the touchstone their fictitious merits fade away. A man, on the contrary, who at the outset of his career is abused or, harder still, is unnoticed, if he have within him the germs of real genius, feels his nerves strung, and his powers developed under the treatment, and redoubles his exertions, heedless of the clamour or the silence around him. I know that it is in me, he says with Sheridan, and out it shall come. So he works on, and in the end secures a niche in the temple of immortality.

It is not to be imagined for a moment that because Mr. Thackeray's earlier works were neglected they gave no indications of his powers. They are sketches, generally, but drawn with a bold free hand, such as ought to have attracted the attention of discerning critics. In one instance, indeed, the attention of a critic of no mean powers was drawn to them. 'I have got hold of the two first numbers of the Hoggarty Diamond,' wrote John Sterling in 1841, 'and read them with extreme delight. What is there better in Fielding or Goldsmith? This man is a true genius, and with quiet and comfort might produce master-pieces, that would last as long as any we have, and delight millions of unborn readers.' High praise, but by no means undeserved, as thousands of people now allow. The Vicar of Wakefield is a master-piece of Goldsmith; once read it is never forgotten. But in simplicity it is equalled; in discrimination of character, in humour, in delicacy, in depth of pathos, it is greatly surpassed by this little novel of thirteen chapters, which the public so cruelly neglected for a time.

The secret of Thackeray's and Wordsworth's success is identical. It may appear paradoxical to say that the author who

lives most amongst men, and the author who dwells most amongst clouds—the most truthful delineator of the phases of society, and the most faithful painter of the phases of nature, owe their triumphs to the same cause. But nevertheless such is the fact. Both despise arbitrary and conventional rules as stumbling blocks in the path of faithful representation. Before the time of Wordsworth a poet might have written on a withered rose, on the boundless ocean, on the hardness of Chloe's heart, on Corydon's despair; but to write about a pedlar, a leech gatherer, a beggar woman, 'the common growth of mother earth,' would have been thought sacrilege. Before the time of Thackeray a novelist might have drawn a hero, brave and handsome, and conducted him, through three volumes of difficulty and intrigue, into the haven of a happy marriage—but to draw a hero with big hands and splay feet! The consequence was that poets and novelists alike walked on stilts. Poets sang of hearts and darts, and eyes and sighs, till nobody cared to hear their sentimental nonsense, and novelists wrote about the gallant horseman who rescued the young lady from the hands of brigands and then fell in love with her, till readers fell asleep. When the world was fairly tired of the charms of Amoret, and of the Zephyr that fanned her, as she lay asleep, there was heard deep voice saying

'The dragon's wing, the magic ring,  
'I shall not covet for my dower;  
'If I along life's lowly way,  
'With sympathetic heart may stray,  
'And with a soul of power.'

And critics listened perfectly bewildered. Some were scarcely able to form a judgment; others, accustomed to the beaten track, like Lord Jeffrey, reviled and scoffed; the most discerning like Wilson and Talfourd felt that a new era had dawned on English literature. Equally great was the astonishment, equally divided the opinions, and ultimately equally loud the applause when Mr. Thackeray propounded his doctrine and displayed society *daguerreotypéd*. No more heroes and heroines of the old, approved, faultless, porcelain cast, we had real flesh and blood instead; men and women as we see them. It was a revolution as complete as that which Wordsworth had effected. One critic, who admired 'good Dobbin' asked in his simplicity, 'but why should 'the major have clumsy feet Mr. Thackeray?' another critic enquired why Amelia so gentle and affectionate should be also so insipid? Years passed before Mr. Thackeray could get people perfectly to understand his lofty theory, or unqualifiedly to admire the skill with which he worked it out.

No poet can live in the hearts of the men of distant generations unless he be true to his high calling. His life as well as his works must be poetry. The accounts of Shakespeare which have come down to us are too vague for us to form a decided opinion about him; but we may rest assured that the mind which conceived a Juliet, an Imogen, and Desdemona, received no taint from any atmosphere by which it was surrounded. The glimpses that we catch of his life from occasional passages in his own works never dispel, but always realize our conceptions; witness those pathetic lines on his player life so often quoted by Elia.

Hence is it that my name receives a brand,  
And even hence my nature is subdued,  
To what it works in, like the dyer's hand.

Milton's life was certainly a poem, as symmetrical and sublime as the *Paradise Lost*. Wordsworth's poetry is the reflection of his life in still waters.

If these doctrines hold good with regard to the poet, they must hold equally good with regard to the novelist. Has not the novel been correctly described as the prose epic? Mr. Thackeray's life is perfectly consistent with his works. In both there is the same 'wholesome hatred of meanness and knavery,' 'the same cheerfulness,' the same 'vast sympathy' and the same love of human kind. It could not be otherwise. If as a man he were different, could he hold the same place in the affections of his vast congregations? Could he be the profound writer which he is universally admitted to be? Out of the fulness of the heart the lips speak. A hypocrite cannot long practise his hypocrisy successfully. An actor must sometimes inadvertently betray himself.

To what end or with what object are these observations made? They ought to lead we think to most practical and most useful results. What hosts of followers have there risen up both of Wordsworth and Thackeray! Suppose all these persons were to believe in the justice of our remarks and to act accordingly. Should we not then have a larger number of good men and women in the world? There might not be a larger number of good writers, for the converse of our proposition will not hold; but will not enough have been achieved, if all these poets and novelists attempted to illustrate their works in their lives. In the failure of almost all the imitators and the success of only a very few, we see perhaps the best proofs of the soundness of our doctrine. Men will try to write like Wordsworth and Thackeray, and yet live like Byron and Maginn—the inevitable result is failure. Of

the echoes that have succeeded, and that bear any resemblance however remote to the melody of the instrument in the master hand, not one as far as we know proceeds from a person of life discordant with his master's principles. Numerous instances might be given, but two shall suffice. Trench may stand forward as an example of the followers of Wordsworth, Miss Evans better known as George Eliot of Thackeray—worthy disciples both.

Extracts from any works but those of Mr. Thackeray would be out of place in our article, but we cannot resist the temptation of selecting one passage from each of these writers, to show that the instruments of neither give an uncertain sound. Published anonymously, one might easily mistake the poetry for Wordsworth's and the prose for Thackeray's.

*Sonnet.—Returning Home.*

To leave unseen so many a glorious sight,  
To leave so many lands unvisited,  
To leave so many worthiest books unread,  
Unrealised so many visions bright;—  
Oh! wretched yet inevitable spite  
Of our short span; and we must yield our breath,  
And wrap us in the lazy coil of death,  
So much remaining of unproved delight.  
But hush, my soul, and vain regrets be stilled;  
Find rest in Him who is the complement  
Of whatsoever transcends your mortal doom  
Of broken hope and frustrated intent;  
In the clear vision and aspect of whom  
All wishes and all longings are fulfilled.

'It is for this rare, precious quality of truthfulness that I delight in many Dutch paintings, which lofty-minded people despise. I find a source of delicious sympathy in these faithful pictures of a monotonous homely existence, which has been the fate of so many more among my fellow mortals than a life of pomp or of absolute indigence, of tragic suffering or of world-stirring actions. I turn without shrinking, from cloud-borne angels, from prophets, sibyls, and heroic warriors, to an old woman bending over her flower pot, or eating her solitary dinner, while the noonday light, softened perhaps by a screen of leaves, falls on her mob-cap, and just touches the rim of her spinning wheel, and her stone jug, and all those cheap common things which are the precious necessities of life to her;—or I turn to that village wedding, kept between four brown walls, where an awkward bridegroom opens the dance with a high shouldered, broad-faced bride, while elderly and middle-aged friends look on, with very irregular noses and lips and probably with quart pots in their hands, but with an expression of unmistakeable contentment and good will. 'Foh' says my idealistic friend, what vulgar details. What good is there in taking all these pains to give an exact likeness of old women and clowns? What a low phase of life!—what clumsy, ugly people!'

'But, bless us, things may be loveable that are not altogether handsome, I hope? I am not at all sure that the majority of the human race have not

been ugly, and even among those 'lords of their kind,' the British, squat figures, ill-shapen nostrils, and dingy complexions are not startling exceptions. Yet there is a great deal of family love amongst us. I have a friend or two whose class of features is such that the Apollo curl on the summit of their brows would be decidedly trying; yet to my certain knowledge tender hearts have beaten for them, and their miniatures—flattering, but still not lovely—are kissed in secret by motherly lips. I have seen many an excellent matron, who could never in her best days have been handsome, and yet she had a packet of yellow love letters in a private drawer, and sweet children showered kisses on her sallow cheeks. And I believe there have been plenty of young heroes, of middle stature and feeble beards, who have felt quite sure they could never love anything more insignificant than a Diana, and yet have found themselves in middle life happily settled with a wife who waddles. Yes! thank God, human feeling is like the mighty rivers that bless the earth: it does not wait for beauty—it flows with resistless force and brings beauty with it.

'All honour and reverence to the divine beauty of form! Let us cultivate it to the utmost in men, women, and children—in our gardens and in our houses. But let us love that other beauty too which lies in no secret of proportion, but in the secret of deep human sympathy. Paint us an angel if you can, with a floating violet robe, and a face paled by the celestial light; paint us yet oftener a Madonna, turning her mild face upward and opening her arms to welcome the divine glory; but do not impose on us any æsthetic rules, which shall banish from the region of Art those old women scraping carrots with their workworn hands, those heavy clowns taking holiday in a dingy pot-house, those rounded backs and stupid weather-beaten faces that have bent over the spade, and done the rough work of the world—those homes with their tin pans, their brown pitchers, their rough curs, and their clusters of onions. In this world there are so many of these common coarse people, who have no picturesque sentimental wretchedness! It is so needful we should remember their existence, else we may happen to leave them quite out of our religion and philosophy, and frame lofty theories which only fit a world of extremes. Therefore, let Art always remind us of them; therefore let us always have men ready to give the loving pains of a life to the faithful representing of common place things—men who see beauty in these common place things, and delight in showing how kindly the light of heaven falls on them. There are few prophets in the world; few sublimely beautiful women; few heroes. I can't afford to give all my love and reverence to such rarities. I want a great deal of those feelings for my every day fellow men, especially for the few in the foreground of the great multitude, whose faces I know, whose hands I touch, for whom I have to make way with kindly courtesy. Neither are picturesque lazzaroni or romantic criminals half so frequent as your common labourer, who gets his own bread, and eats it vulgarly but creditably with his own pocket-knife. It is more needful that I should have a fibre of sympathy connecting me with that vulgar citizen who weighs out my sugar in a vilely assorted cravat and waistcoat, than with the handsomest rascal in red scarf and green feathers; more needful that my heart should swell with loving admiration at some trait of gentle goodness in the faulty people who sit at the same hearth with me, or in the clergyman of my own parish, who is perhaps rather too corpulent and in other respects is not an Oberlin or a Tillotson, than at the deeds of heroes whom I shall never know except by hearsay, or at the sublimest abstract of all clerical graces that was ever conceived by an able novelist. Adam Bede, by George Eliot—vol. II.



We consider the above—and we believe few readers will disagree with us—among the best expositions of Mr. Thackeray's principles of art, conveyed in his own forcible and peculiar language.

It was a fundamental rule with nearly all novelists from Richardson to Scott and Dickens, to let the actors in their pieces speak for themselves. When the show was going on, it was not for the authors to thrust in their heads among the puppets, and point out the beauties of one or the failings of another. Such a proceeding, it was believed, would but hurt the reader's faith, and thus destroy the effect of the representation. Mr. Thackeray's doctrine is precisely the reverse. He perpetually stops in his narrative to comment, and his commentaries are decidedly the best part of his novels. So large are these digressions, that a clever critic describes his novels, as only elaborate discourses on human nature, illustrated by examples. There is, with one signal exception, little plot in his narratives. The ordinary expedients by which most other writers of fiction stimulate the flagging attention of readers find no favor with him. There are no surprises. A blasé reader of novels himself, he knows it is useless to hem Alexis in an intricate web, from which he must be extricated again, that he may reach the goal of connubial felicity; or to bind Rosamunda ruthlessly to the stake, from which Rinaldo must inevitably rescue her. To a new reader, like the boy he himself so graphically describes in the Cornhill Magazine, such exploded tricks of the novelist may have charms, but even he must soon tire of them. Mr. Thackeray knows full well that after a time 'the boy will cease to feel surprise when the stranger turns out to be the rightful earl, or when the old waterman, throwing off his beggarly gabardine, shows his stars and the collars of his various orders, and clasping Antonia to his bosom proves himself to be the prince, her long lost father.' No man understands better than he, that men, and especially men of reading and intelligence, must have other sort of mental nourishment. The result is that like a week-day preacher, he breaks off the thread of his narrative as often as he finds occasion to philosophize. The strong sense, the keen powers of observation, the generous nature, and the reverence for things not of the earth, which characterize these wonderful episodes, have earned for Mr. Thackeray the gratitude not only of the present but of all future generations. Sometimes he addresses his audiences as from a pulpit; at others he seems to soliloquise; now he suggests food for thought; anon he tears aside the flimsy devices with which men hide their own meanness from themselves; here he propounds that cant and sectarian bigotry are not religion; and there that a want of religion is

not philosophy. Lifting up his squeaking puppet with a smile he proceeds to show his reader the intricate mechanism of its heart. How fair that heart appears at first sight to the attentive throng! but the delicate knife removes the thin layer that covers it to delude, and lays open its black spots and angularities, till every person present feels intuitively forced to subject his own heart to the same sort of examination.

In arranging Mr. Thackeray's larger works according to the order of merit we are disposed to give the highest praise to that which is the least popular. Our classification would stand thus, *Esmond*, then *Pendennis* and the *Newcomes*,—recording as in an autobiography, the one the author's literary, the other his artistic experiences,—then *Vanity Fair*—and last his *Virginians*.

We have given the highest place to *Esmond* after repeated and deliberate perusal, and whatever the public may say, we shall be surprised if Mr. Thackeray himself does not concur in our decision. *Esmond* seems to us the work which he has most maturely considered and most carefully written. There are no traces of haste in it, on the contrary there are evidences every where, even in the foot-notes, of the most attentive study. While all his other works have been published in detached chapters monthly, *Esmond* sprung forth entire. There are some disadvantages inherent to the system of these monthly publications, from which *Esmond* is consequently exempt. Thus for instance, it is necessary in the monthly publications to spice each separate part, or to make every four chapters readable almost by themselves; it may be necessary with a view to attain this object to spin out some portions of the story and to curtail others; and worse than all it may be necessary for the sake of temporary effect to yield to the temptation of deviating from the original outline of the work. But it is not only because *Esmond* was published entire that it is superior to Mr. Thackeray's other works. It is superior because he appears to have put forth his whole strength in it. In other works that strength is put forth occasionally, but here it is put forth continuously. There are passages in his other works excelling any passage in *Esmond*. The death of Colonel Newcome, for instance, is better not only than anything in *Esmond*, but perhaps than anything in the whole range of modern fiction. What then? Works are not to be judged by isolated passages. As a whole, *Esmond* is the most finished specimen of art. The background, the foreground, the groups, are all in keeping with each other in the picture, and some of the faces are such as Shakespeare himself might have been proud to have drawn.

What a portrait for instance is that of Rachel Esmond. How loving she looks out of the canvas. For our part, that lady never appears, but we feel our hearts beat like the schoolboy's in the Roundabout papers. Let the reader call to mind the very first chapter in the book in which she is introduced—her golden hair shining in the gold of the sun; her complexion of a dazzling bloom; her lips smiling; the kindness with which she takes the friendless boy's hand; the blush with which she drops it, when Mrs. Worksop looks significantly towards the late lord's picture; the look of 'infinite pity and tenderness' with which she takes that hand again, 'placing her other fair hand on his head' when she finds him on her return standing exactly on the same spot, and with his hand as it had fallen, when he dropped it on his black coat. 'Le pauvre enfant, il n'a que nous.' Let him call to mind the many vivid scenes in which she discovers that with her beauty, her reign had ended and the days of her love were over; how the first shock came on her; how then 'as a merchant on change, *indocilis pauperiem pati*, having lost his thousands, embarks a few guineas upon the next ship, she laid out her all upon her children, indulging them beyond all measure, as was inevitable with one of her kindness of disposition; giving all her thoughts to their welfare, learning, so that she might teach them, and improving her own many natural gifts and feminine accomplishments that she might impart them to her young ones.' Let him call to mind the awful prison scene at the commencement of the second volume after the death of the Viscount Esmond;—the ghastly white face, the eyes, ordinarily so sweet and tender, fixed on Harry Esmond with such a tragic glance of woe and anger, as caused the youth, unaccustomed to unkindness from her, to avert his own glances from her face, the wild language, 'Where is my husband? Give me back my husband, Henry. Why did you stand by and see him murdered?' Let him recal to mind the day in which Harry Esmond returns from exile and is reconciled to the family. Above all, let him call to mind that deeply pathetic scene in which Harry Esmond filled with remorse for the wearisome pain he had been inflicting on her by the endless recital of his passion for Beatrix, runs upstairs and finds her where he had left her, in the embrasure of the window, looking over the fields with tears in her eyes, and in her hands the stalk of one of the flowers, a pink that she had torn to pieces, and then let him, if he dare, join in the Edinburgh Reviewer's condemnation of the portrait, as that of a wife of 'strong feelings,' irritable, suspicious 'temper,' 'quick sensibility' and 'undiscriminating, unrelenting

'jealousy.' We are not ashamed to confess that we admire the picture so much that we consider any touch either to shade the peculiar faults, or to exaggerate the beauties would be a mistake. It is worthy as it stands to take a place in the loveliest female gallery, even side by side

With the gentle lady married to the Moor,  
And heavenly Una with her milk-white lamb.

The critic, who condemns Rachel Esmond as a character not to be held up to admiration, must be ignorant of the first principles of criticism. 'Strong feelings' and why not strong feelings? Can any woman who has not *strong feelings* in some matters be worthy of love? 'Irritable, suspicious temper'—never;—'Jealousy'?—on this point let us hear Mr. Thackeray. The lady has passed her great trial. Viscount Esmond has commenced haunting taverns, and makes no secret of a fair Rosamond.

'She had oldened in that time, as people do who suffer silently great mental pain, and learned much that she had never suspected before. She was taught by that bitter teacher Misfortune. A child, the mother of other children, but two years back her lord was a god to her; his words her law; his smile her sunshine; his lazy commonplaces listened to eagerly, as if they were words of wisdom; all his wishes and freaks obeyed with a servile devotion. She had been my lord's chief slave and blind worshipper. Some women bear farther than this, and submit not only to neglect but to unfaithfulness too; but here this lady's allegiance had failed her. Her spirit rebelled and disowned any more obedience.' Page 202, vol 1.

When we condemn strong feelings in certain matters we ought to remember that Perfection is "wrathful" on account of its bitter hatred to sin. There is a point where it is weakness, or worse, not to have strong feelings. The critic who now blames Mr. Thackeray for drawing a heroine who is not perfectly meek and submissive, would have been the first to charge him with drawing a heroine perfectly insipid, if he had made the attempt. Witness the same critic's remarks on Amelia Sedley. 'She is'—according to him—'amiable by instinct,' 'It is her nature to love' all those with whom she comes in contact just as it is the nature 'of a spaniel to caress every visitor. But her love being founded on propinquity, not on judgement is, like that of the spaniel,' 'indiscriminating.'

After all nature is the true model, and to copy her faithfully is the highest art. In nature it is vain to look for a perfect specimen of humanity. Since the creation there has been but one perfect Man. To give Rachel Esmond an occasional failing, if failing it be, and that on the right side, is therefore only to comply with the demands of the highest art. It is to make the picture all the more life-like.

With such opinions as the critic in the *Edinburgh Review* seems to entertain, we should not be surprised to learn that he had positively fainted away when he came to the following passage regarding the appearance of *Lady Esmond* after her recovery from small pox.

'It was as if a coarse hand had rubbed off the delicate tints of that sweet picture and brought it, as one has seen unskilful painting cleaners do, to the dead colour. Also, it must be owned, that for a year or two after the malady her ladyship's nose was swollen and redder.'

To us the passage does not seem to be even one of those unnecessarily rough strokes, with which Wordsworth used to aggravate his critics. It is only a bit of playfulness. *Harry Esmond* it must be remembered is supposed to be the author of the Book, and he writes it under the eyes of his wife *Lady Esmond* in that remote transatlantic region to which they emigrated in the decline of life.

Another charge, much more serious, made against *Lady Esmond*, is by *Charlotte Brontë* the authoress of *Jane Eyre*. *Miss Brontë* was not one of those who love ordinarily to decry Mr. Thackeray as a cynic and a pourtrayer of the dark side of humanity. In the preface to *Jane Eyre* she compares him to the truth loving prophet whom *Zedekiah* the son of *Chenaanah* struck on the cheek for not speaking what would please the king. Any remark in disparagement of Mr. Thackeray from *Miss Brontë* is therefore entitled to weight, and in this case it is entitled to the more weight because the observation does not appear in an essay dressed for the public, but in a casual letter which is published in her life by Mrs. Gaskell. She observes 'as usual he is 'unjust to women; quite unjust. There is hardly any punishment 'he does not deserve for making *Lady Castlewood* peep through a 'keyhole and listen at a door.'

The passage in *Esmond*, to which reference is made, stands as follows :—

'And so it is, and for his rule over his family, and for his conduct to wife and children, subjects over whom his power is monarchical, any one who watches the world must think with trembling sometimes of the account which many a man will have to render. For in our society there's no law to control the King of the Fireside. He is master of property, happiness, life almost. He is free to punish, to make happy or unhappy, to ruin or to torture. He may kill a wife gradually, and be no more questioned than the Grand Seigneur, who drowns a slave at midnight. He may make slaves and hypocrites of his children; or friends and freemen; or drive them into revolt and enmity against the natural law of love. I have heard politicians and coffeehouse wiseacres talking over the newspaper, and railing at the tyranny of the French King, and the Emperor, and wondered how these (who are monarchs, too, in their way,) govern their own dominions at home,

where each man rules absolute? When the annals of each little reign are shown to the Supreme Master, under whom we hold sovereignty, histories will be laid bare of household tyrants as cruel as Amurath, as savage as Nero and as reckless and dissolute as Charles.'

'If Harry Esmond's patron erred, 'twas in the latter way, from a disposition rather self-indulgent than cruel: and he might have been brought back to much better feelings, had time been given to him to bring his repentance to a lasting reform.'

'As my lord and his friend Lord Mohun were such close companions, Mistress Beatrix chose to be jealous of the latter; and the two gentlemen often entertained each other by laughing, in their rude boisterous way, at the child's freaks of anger and show of dislike. "When thou art old enough, thou shalt marry Lord Mohun," Beatrix's father would say: on which the girl would pout and say, "I would rather marry Tom Tusher." And because the Lord Mohun always showed an extreme gallantry to my Lady Castlewood whom he professed to admire devotedly, one day, in answer to this old joke of her father's, Beatrix said, "I think my lord would rather marry mamma than marry me; and is waiting till you die to ask her."

'The words were said lightly and pertly by the girl one night before supper, as the family party were assembled near the great fire. The two lords, who were at cards, both gave a start; my lady turned as red as scarlet, and bade Mistress Beatrix go to her own chamber: whereupon the girl, putting on, as her wont was, the most innocent air, said, "I am sure I meant no wrong; I am sure mamma talks a great deal more to Harry Esmond than she does to papa, and she cried when Harry went away, and she never does when papa goes away; and last night she talked to Lord Mohun for ever so long, and sent us out of the room, and cried when we came back and \* \* \* \* \*"

"D—n!" cried out my Lord Castlewood, out of all patience. "Go out of the room, you little viper;" and he started up and flung down his cards. "Ask Lord Mohun what I said to him, Francis," her ladyship said, rising up with a scared face, but yet with a great and touching dignity and candour in her look and voice. "Come away with me Beatrix." Beatrix sprang up too: she was in tears now.

"Dearest mamma, what have I done?" She asked. "Sure I meant no harm." And she clung to her mother, and the pair went out sobbing together.

"I will tell you what your wife said to me, Frank,"—my Lord Mohun cried—"Parson Harry may hear it; and as I hope for heaven, every word I say is true. Last night, with tears in her eyes, your wife implored me to play no more with you at dice or at cards, and you know best whether what she asked was not for your good."

"Of course it was, Mohun,"—says my Lord in a dry hard voice. "Of course you are a model of a man: and the world knows what a saint you are." My Lord Mohun was separated from his wife, and had had many affairs of honour; of which women as usual had been the cause.

"I am no Saint, though your wife is—and I can answer for my actions as other people must for their words,"—said my Lord Mohun.

"By G—, my lord, you shall," cried the other starting up.

"We have another little account to settle first, my lord," says Lord Mohun. Whereupon Harry Esmond filled with alarm for the consequences to which this disastrous dispute might lead, broke out into the most vehement expostulations with his patron and his adversary. "Gracious Heavens!" he said, "my lord, are you going to draw a sword upon your friend in your own house? Can you doubt the honour of a lady who is as pure as Heaven, and would die a

thousand times rather than do you a wrong? Are the idle words of a jealous child to set friends at variance? Has not my mistress, as much as she dared do, besought your lordship, as the truth must be told, to break your intimacy with my Lord Mohun; and to give up the habit which may bring ruin on your family? But for my Lord Mohun's illness had he not left you?"

"Faith, Frank, a man with a gouty toe can't run after other men's wives," broke out my Lord Mohun, who indeed was in that way, and with a laugh and look at his swathed limb so frank and comical, that the other dashing his fist across his forehead was caught by that infectious good humour, and said with his oath, "Harry, I believe thee," and so this quarrel was over, and the two gentlemen, at swords drawn but just now, dropped their points, and shook hands.

'*Beati pacifici*. "Go bring my lady back," said Harry's patron. Esmond went away only too glad to be the bearer of such good news. He found her at the door; she had been listening there, but went back as he came. She took both his hands, hers were marble cold. She seemed as if she would fall on his shoulder. "Thank you, and God bless you, my dear brother Harry," she said. She kissed his hand, Esmond felt her tears upon it: and leading her into the room, and up to my lord, the Lord Castlewood with an outbreak of feeling and affection such as he had not exhibited for many a long day, took his wife to his heart, and bent over and kissed her and asked her pardon. —Vol. I p. 288—293.

Nothing could be easier for Mr. Thackeray than to pass his pen through the words—"she had been listening there but went back as he came,"—but we ask whether human nature is not more faithfully described in the passage in its present state. How powerful, considering all things, the temptation here to listen. It was scarcely a voluntary act; she could scarcely have known what she was doing. Wilkie Collins is as great a name as Charlotte Brontë in the region of fiction. Listen to the following from the *Woman in White*.

"I had turned to go back to my own room for a minute or two; but the sound of Laura's name, on the lips of a stranger, stopped me instantly. I dare say it was very wrong and very discreditable to listen, but where is the woman in the whole range of our sex, who can regulate her actions by the abstract principles of honour, when those principles point one way, and when her affections, and the interest which grow out of them point the other?"

I listened; and, under similar circumstances I would listen again—yes! with my ear at the keyhole, if I could not possibly manage it in any other way.

• The *Woman in White*, vol. 2, p. 51 and 52.

As a historical novelist Mr. Thackeray does not rank high. His portraits of departed great men can never bear a comparison with Sir Walter Scott's. Washington and Wolfe in his *Virginians* are average specimens of his skill. They are fair, for a man of Mr. Thackeray's genius cannot positively fail in anything he undertakes, but are they half as good as Sir Walter Scott's James in the *Fortunes of Nigel*, or his Louis in *Quentin Durward*? Mr. Thackeray's Johnson in his *Virginians* is a sprawling caricature, no more like the Johnson of Boswell, than

like Hercules. In Esmond he has done far better than ordinarily. Two portraits one of the Pretender, and another of Dick Steele are done to the life. Sir Walter might have been proud to own both. In fact he tried his hand on one of them—the Pretender, in his Redgauntlet, but in our opinion, with less success than Thackeray. The Pretender in Esmond with his French manners, his frivolous pursuits, and his occasional display of right royal qualities, is more like the real Pretender than Sir Walter Scott's melancholy and dignified figure. Dick Steele as the soldier in Captain Westbury's troop explaining to little page Esmond that he was no common soldier, that he was of one of the most ancient families in the Empire, and that he had received his education at a famous school and a famous university;—Dick Steele discussing religion 'Tis not the dying for a faith that's so hard Master Harry—every man of every nation has done that—tis the living up to 'it that is difficult, as I know to my cost;—Dick Steele sympathising with the little fellow on his father's death, and giving him an account of his own first sensation of grief in the very words of that immortal paper in the Spectator—'I remember I went 'into the room where his body lay, and my mother sate 'weeping beside it. I had my battledore in my hand and 'fell a beating the coffin, and calling papa, on which my 'mother caught me in her arms, and told me in a flood 'of tears, papa could not hear me, and would play with 'me no more,—for they were going to put him underground 'whence he could never come to us again';—Dick Steele stopping the ribald stories of the other troopers before the child with the *maxima debetur pueris reverentia*; and afterwards confiding to him his love for a vintner's daughter, near to the Toll Bridge, Westminster, whom Dick addressed as Saccharissa in many verses of his composition, and without whom he said it would be impossible that he could continue to live;—Dick Steele, in his cups, coaxing and speaking in that mandlin manner, which punch and claret produce, to his beloved Prue and beseeching her to remember that there was a 'distiwiisht officer ithe rex roob who would overhear her';—Dick Steele in Joseph Addison's humble room reading the manuscript of the Battle of Blenheim and clapping his hands in undisguised admiration,—Dick Steele in all times and places throughout the book, is Dick Steele himself. It is one of the most vivid and accurate portraits in the whole range of our literature. Nor are the rough pencil outlines of Addison and Swift unworthy to take their places by its side. Addison receiving his friends in a lodging, up two pair of stairs, with a sixpenny dinner from the adjoining cookshop, and talking of fortune with a



calm smile 'I puff the prostitute away, there is no hardship in poverty. Esmond that is not bearable, no hardship even in honest dependence that an honest man may not put up with. I came out of the lap of Alma Mater puffed up with her praises of me, and thinking to make a figure in the world with the parts and learning which had got me no small name in our college. The world is the ocean, and Isis and Charwell are but little drops of which the sea takes no account. My reputation ended a mile beyond Maudlin tower; no one took note of me, and I learned this at least, to bear up against evil fortune with a cheerful heart.' Swift in the printer's shop bullying the supposed printer's man, and frightening the poor little imp in his lap with his rudeness; or amongst the great giving himself the airs of an assumed independence;—both Addison and Swift are in harmony with the reader's preconceived notions, and worthy of Mr. Thackeray.

Pendennis and the Newcomes come next to Esmond in our classification, but of the two though we like the Newcomes best, let us give Pendennis precedence here, as first in the order of publication.

It is the business of critics to spy out faults, and Pendennis has not escaped censure at the hands of its reviewers. It has been urged that the character of Arthur Pendennis has not been drawn well; that it is doubtful 'whether he is worthy of our love and respect, or of our dislike and contempt.' Mr. Thackeray could not, it has been stated, 'have formed a very definite notion on the subject himself,' and would, probably be as much puzzled as any reader to reconcile his apparent contradictions, and explain how a man can be an 'honest, affectionate fellow,' and a 'supercilious dandy'; selfish and generous; spoiled by prosperity and improved by it; with natural parts, but purposeless and idle; young, but blasé; not without principle, but not proof also against temptation.

The reply to these arguments is simple. Such is life, such are men,—so uncertain so inconsistent. According to his own account Mr. Thackeray has attempted to paint not a perfect hero, but a brother and a man. He has achieved this—Pendennis is a brother,—we feel with and for him, and in spite of his weaknesses we love him as much as Warrington loves him;—he is also a man—sorely tempted, he runs away, but he does not yield. There is nothing in him that we dislike. As to his being a dandy, we entirely concur with Mr. Brown;—'There is nothing disagreeable to us in the notion of a dandy, any more than there is in the idea of a peacock or a camel-leopard, or a prodigious gaudy tulip, or an astonishingly bright brocade. There are all sorts of animals, plants, and stuffs in nature, from peacocks to tomtits, and

‘from cloth of gold to corduroy, whereof the variety is assuredly intended by nature, and certainly adds to the zest of life.’ On the other hand we see much in him to esteem. Artist of his own portrait, Pendennis could not, it must also be remembered, have laid on brighter colors without exposing himself to a charge of egotism.

It has also been urged that Blanche Amory is a repetition of Becky Sharp; to this we demur. The ladies are quite distinct, as distinct as Rosalind and Desdemona, or any two of Shakespeare’s heroines. Neither can be loved, it is true; but if for such a reason they are to be considered identical then;—but why argue on a point so plain? Here is Blanche Amory’s portrait.

‘Blanche was fair, and like a sylph. She had fair hair, with green reflexions in it. But she had dark eyebrows. She had long black eye-lashes, which veiled beautiful brown eyes. She had such a slim waist, that it was a wonder to behold; and such slim little feet, that you would have thought the grass would hardly bend under them. Her lips were of the colour of faint rose-buds, and her voice warbled limpidly over a set of the sweetest little pearly teeth ever seen. She showed them very often, for they were very pretty. She was very good natured, and a smile not only showed her teeth wonderfully, but likewise exhibited two lovely little pink dimples, that nestled in either cheek.

‘She showed Laura her drawings, which the other thought charming. She played her some of her waltzes with a rapid and brilliant finger, and Laura was still more charmed. And she then read her some poems, in French and English likewise of her own composition, and which she kept locked in her own book—her own dear little book—it was bound in blue velvet, with a gilt lock, and on it was printed in gold the title of “*Mes Larmes*.” \* \* \* \*

It appeared from these poems that this young creature had indeed suffered prodigiously. She was familiar with the idea of suicide. Death she repeatedly longed for. A faded rose inspired her with such grief that you would have thought she must die in pain of it. It was a wonder how a young creature, who had had a snug home, or been at a comfortable boarding school, and had no outward grief or hardship to complain of, should have suffered so much—should have found the means of getting at such an ocean of despair and passion (as a runaway boy who *will* get to sea), and having embarked on it, should survive it. What a talent she must have had for weeping to be able to pour out so many of *Mes Larmes*.

They were not particularly briny, Miss Blanche’s tears, that is the truth; but Pen, who read her verses, thought them very well for a lady—and wrote some verses himself for her. His were very violent and passionate, very hot, sweet, and strong: and he not only wrote verses—but—oh the villain! oh the deceiver! he altered and adapted former poems in his possession, and which had been composed for a certain Miss Emily Fotheringay, for the use and to the Christian name of Miss Blanche Amory.’

Warrington’s story has been condemned in some quarters. It is related to an anxious circle a few minutes before the death of Helen Pendennis. We confess it disappoints, probably because every reader’s expectation had previously been raised very

high about it. The plot has never been Mr. Thackeray's vantage ground, still Warrington's story cannot be said to be worse than the ordinary run of digressive stories even in our best novelists, Scott and Dickens.

Another charge brought against Mr. Thackeray is, that in *Pendennis* he has given us a ridiculous caricature of literary men and literary society in order to ingratiate himself with titled votaries of fashion. Such an accusation of flunkeyism or snob-bishness could only have emanated from a snob, and can be believed only by snobs. It would be idle to waste time in refuting an assertion so absurd, but as some critics who, while they feel as indignant as ourselves at the motive imputed, cannot wholly exculpate him from the crime which they attribute to a diseased habit of endeavouring to say something new and startling, and as Mr. Thackeray himself has thought it worth his while to repel the charge in a newspaper article, it may not be wholly useless or uninteresting to enquire how far it is just.

In the first place, we think, that the charge if made at all should have been made before, as nothing, which Mr. Thackeray says in *Pendennis* against literary men as a class, can be more bitter than what he said in his previous publications in the *Snob Papers*, and the *Jeames' Diary*, and the articles in '*Fraser*' such as the *Ravenswing*. Do any of those people who pretend to be startled and scandalised by the portraits of Captain Shandon, and Bungay, and Bacon, and Wagge, pretend not to have made the previous acquaintance of people of similar character, all introduced to them by Mr. Thackeray? Can any person pretend not to have heard of the Editor in *Jeames' Diary* who one day attacked the Honorable Mr. Deuceace on account of his doing Mr. Dawkins out of £ 5,000 at play, and the next day threatened in a notice to correspondents to expose all Mr. Deuceace's career of roguery, and the day after humbly apologized for 'a paragraph' which was inadvertently admitted, most unjustly assailing the 'character of a gentleman of high birth and talents, the son of the "exemplary Earl of C-r-b-s"? Who does not know the Editors round the most respectable table of Sir George Thrum, the man whom the wisest and best of kings, his late majesty George III 'delighted to honor,' Mr. Bludyer of the *Tomahawk*, Mr. Squinney of the *Flowers of Fashion*, Mr. Desmond Mulligan 'our well informed correspondent' of that famous Munster paper, the *Green Flag of Skibberreen*. That little conversation between Mr. Woolsey the tailor, and Bludyer—'Then Sir—I'll—I'll 'thank you to pay my little bill,' and the noble leader which subsequently appeared in the *Tomahawk*, are they to be forgotten?

And then, that comfortable assurance in capitals in the Book of Snobs—‘the fact is that in the Literary Profession THERE ARE NO SNOBS. Look round at the whole body of British men of letters, and I defy you to point out among them a single instance of vulgarity or envy, or assumption.’ If such camels were swallowed before, and glibly swallowed by Mr. Thackeray’s antagonists, why should they strain at the gnats in Pendennis?

A depicter of life and manners is not bound to represent favorable specimens of a class only, said Mr. Thackeray, when put on his defence. He might have said more; not bound certainly; and one that would deem himself so bound, would be unworthy of his calling. A depicter of life and manners is bound to depict with truth, and to depict with truth it is necessary to give all sorts of specimens, good, bad, and indifferent. The most rancorous of his antagonists will probably turn round at this remark, and while admitting that he has given us plenty of bad and indifferent examples, will deny he has given us any good—‘they are all bad,’ and here we have no hesitation in joining issue with them. Can any character be nobler than that of bluff George Warrington. ‘Finucane has no longer charge of the paper—Warrington has come back; I should know the crack of that fellow’s whip amongst a thousand’—said Captain Shandon tossing the Pall Mall Gazette to his wife in their lodgings at Bologne-sur-mer;—‘he lays his cuts neat, straight down the back, and drawing blood every line’. At which dreadful image Mrs. Shandon, who had always known Mr. Warrington as most affectionate and kind to her children exclaims ‘Law!’ What manliness, what self-denial, what benevolence, what love, lie at the core of that apparently rough heart!

It is not improbable, too, that those who bring forward the accusation forget that the tone of the Press in England has improved very considerably within our recollection. Thirty years ago, the English press was nearly as scurrilous as the worst portion of the press of America of the present day. In Pendennis Mr. Thackeray is speaking of thirty years ago, when annuals were in fashion. Pen, you may remember, wrote for one of them. The most respectable periodicals of that day, Blackwood and the Quarterly systematically indulged in savage personalities such as a fourth rate periodical would now scorn to utter on the utmost provocation. It was not without justice, or without absolute need, that Mr. Thackeray’s lash was applied, and it has been ‘laid neat, straight down the back, and drawing blood every line.’

Let us have truth above all things. If a literary man, the

Editor of the Pall Mall Gazette and the crack writer for Bungay's Magazine as well, have depraved habits and companions, shall we gloss the thing over, and say the habits are good, and the companions virtuous? If he run into debt, tiddle in low taverns, swear, or cheat, must we applaud? No, Let Captain Shandon's weaknesses be exposed were he ten times as brilliant and clever, that others may take warning from him. Much of the misery of literary men has been occasioned by a mistaken belief, that laws which apply to ordinary mortals, and cannot with impunity be infringed by such, are inapplicable to themselves. It is therefore absolutely necessary to impress upon the class that they are as liable as any of us to become contemptible if they are reckless, wild, or dissolute. It is not honorable for any person, be he Captain Shandon, or Doctor Maginn, or Lord Byron, to drink overmuch, or to get into debt, or to keep a harem. What is Mr. Thackeray's offence except the emphatic enunciation and illustration of this truth?

It is a relief to turn aside from such absurd complaints against our author, and contemplate the life and society which he presents to us. We have read of fashionable life in Bulwer, and Disraeli, and Warren, but it is a fashionable life, comparatively speaking, of the imagination. Pelham, the Young Duke, or Ten Thousand a Year, contain no pictures of the higher classes which can stand beside those presented to us in *Vanity Fair*, *Pendennis*, and the *Newcomes*. We feel that Mr. Thackeray's pictures are authentic and copied from life—photographs, while the others look like Berlin wool affairs.

Look at *Pendennis* and its multitude of characters. Warrington with his bristling blue beard whom Major Pendennis found on his first visit drinking beer like a coal heaver, and 'yet you couldn't but see he was a gentleman;' the brave Major himself for whom with all his worldliness and meanness we feel his nephew's partiality, and the success of whose manoeuvres with General Costigan, and his own valet Morgan, fills us with delight and admiration; Jack Costigan—inimitable Jack Costigan—the descendant of a long line of Hibernian kings and 'sieh a boy for the whiskey and water;'—the all accomplished Chevalier Strong, 'who was always in spirits, never in the way or out of it, and was ready to execute any commission for his patron whether it was to sing a song, or meet a lawyer, to fight a duel, or to carve a capon;' Honest Harry Foker with his candid acknowledgment—'I was a stupid chap, I was—but you see sir I know 'em when they are clever, and like 'em of that sort'—his shrewdness, and good humour; Morgan of the true Jeomes' tribe which Mr. Thackeray

always feels such a malicious pleasure in portraying, turning viperlike on 'Major Pendennis' 'alf pay,' and so gallantly put down; Mirambolant the *chef* and his confidante Madame Fribebi the milliner, to whom he communicated how he declared himself by his dishes, his *potage a la reine—a la reine Blanche*, his *filet de merlan a l'Agnes*,—and his ices, to the charming blonde 'Mees'; Little Bows, loving, disappointed and bitter to the last; Dr. Portman so wise and benevolent; Smirke of the open worked silk stockings and glossy pumps and white cravat and spotless linen, afterwards so largely developed as Charles Honeyman in a subsequent novel; Captain Shandon, 'the wittiest, the most amiable, and the most incorrigible of Irishmen,' whom no person could come across without liking; 'whose sweetness of temper nothing could disturb; not debts; not duns; not misery; not the bottle; not his wife's unhappy position; or his children's ruined chances,'—the crack writer for Bungay, and the friend of Jack and Tom of the Fleet Prison tavern; Sam Huxter fit knight for Fanny, with his fists in his pockets, clenching themselves involuntarily, and 'arming themselves as it were in ambush' at sight of Pen, and with his penitential 'will never do so any more Sir' to his father, when the latter comes to hear of Sam's marriage; Fanny herself crying at the loss of the ticket in Vauxhall gardens, and sitting up the whole night to read Walter Lorraine,—poor, pretty little Fanny; Blanche Amory so distinct from Becky Sharp in Vanity Fair and from Beatrix in Esmond, and yet so heartless with her sham enthusiasm and sham love and sham hatred and sham taste, and (to point the moral) with ever so little a *tache* on her white name, in that affair of Mirambolant and the creeper at the window; the Begum her mother, the most good natured, jovial, and generous of women who called Hackney, 'Ackney,' to be sure, but who also brought three times more champagne and fowls and ham to the picnics than any one else; frank, generous beautiful Laura with England's rose and lily on her cheek; saintly Helen Pendennis; the patient and gentle Mrs Shandon, whom one cannot but love and pity; the Fotheringay so magnificent on the Boards, where she had not the least Irish accent, talking of Ophelia at home, as the part in which she had appeared, and of the *poy* which she had made for her father;—is there any one of the vast throng whose acquaintance we are not glad to make, or whom we can ever forget?

The Newcomes we have already said is a work which in point of merit must have precedence of Pendennis; we sometimes doubt if it should not be placed above Esmond as well, and be considered

as Mr. Thackeray's best. Like *Pendennis* it reads like a vivid personal history. It embodies Mr. Thackeray's experience as a painter, as *Pendennis* embodies his experiences as an author. What are its faults? Captious critics have not discovered many, and we can afford to be brief on this point. The death of Rosey, Clive's first wife, is, we must confess, not very artistic. It was necessary, no doubt, for how could Clive marry Ethel if Rosey were to live on? and it gives occasion for Mr. Thackeray's very best monologues, but is not the event somewhat too sudden and abrupt? Death, it is true, has no regard for old or young, and time or place, but novel readers are fastidious, and cannot tolerate the idea of death coming on in this manner. Is not Barnes too much like the villain of a novel? Has not Mr. Thackeray, in this instance, abandoned his own high theory of mixing good and evil in all his characters from the best to the worst? A depraved wretch, the most abject of cowards, the most unscrupulous of slanderers, the most cruel of domestic tyrants,—what trait of goodness is in him? Did Mr. Thackeray in drawing Barnes have an eye on the villains of his great rival Dickens, who are all unmitigated villains? or think of his children's question—'why did he not write a novel like *Nicholas Nickleby*'? *Rummun Loll*'s character embodies the popular prejudice against the natives of this country. Is it not too much of a caricature?

Another objection to the *Newcomes* is, that its pictorial illustrations are inferior to those in *Pendennis* and *Vanity Fair*. The illustrations in the *Newcomes* are drawn by a professional artist, 'that ingenious youth who marks his work with a dickeybird,' and who retired from the staff of *Punch* on account of the violent attacks which appeared in that periodical against the Pope a few years ago. As drawings, they may be, and are, probably superior, for Mr. Doyle has no doubt considerable advantage over Mr. Thackeray in manipulative dexterity; but as illustrations of the text, they must be regarded as decidedly inferior. Mr. Thackeray conveyed his ideas to us by use both of pen and pencil. Each helped the other. By abandoning the pencil even to so gifted a friend as Mr. Doyle, he has relinquished one of the sources of his triumph over Mr. Dickens. Look at some of the pictures in *Pendennis*. The Major after the Ball at page 71. vol. II. How capitably it realizes the description in the text. 'The rings round his eyes were of the colour of bistre; those orbs themselves were like the plovers' eggs whereof Lady Clavering and Blanche had each tasted; the wrinkles in his old face were furrowed in deep gashes; and a silver stubble, like an elderly morning dew, was glittering on his chin and along-side

'the dyed whiskers, now limp and out of curl.' Amory giving the 25*l*. note—the 'pony'—to Sir Francis Clavering, page 220 vol. II. You read the man's words in his face. 'Well, well there's the money Sir Francis Clavering. I aint a bad fellow. When I've money in my pocket, damme, I spend it like a man. Here's five and twenty for you. Don't be losing it at the hells now. Don't be making a fool of yourself. Go down to Clavering Park, and it'll keep you ever so long. You needn't 'ave butcher's meat; there's pigs I dare say on the premises.' What an air of conscious virtue and self-sacrifice there is in Amory's countenance! Mirambolant interrupted by his little assistant, page 218 vol. I. What pathos of remonstrance there is in the artist's look! It will be remembered that he always sate down and played the piano for some time before composing a *menu*. 'Every great artist,' he said, 'had need of solitude to perfectionate his works.' Fanny and Dr. Goodenough vol. II. page 130. Ah me! We have the whole story of that little maiden,—the sleepless night,—the fluttering hope,—the unutterable anguish,—in this one cut! The very initial letters at the beginning of the chapters, throughout the volumes, act as an index to what is coming, like the poetic mottoes on which Sir Walter Scott prided himself. Look at that Canute and courtiers marshalling the letter *W* at the head of chapter 5 vol. I. What ire is in Canute's eyes, what scorn on his lip, and what dismay and confusion in the countenances of his courtiers! Look at Phyllis and Corydon in that huge *O* at the head of chapter 8. Do not those downcast eyes tell us a story? Or look at the villain stabbing the shadow of that huge *M* which heads chapter 12. There is Major Pendennis stabbing Arthur's peace of mind. Poor Arthur!

Bating these deficiencies, the last of which involves a very high indirect compliment, there can be no question of the superiority of the Newcomes to Pendennis and Vanity Fair. Its characters are more numerous and varied, drawn with a bolder, freer hand, and engraved all the more indelibly in consequence on the reader's imagination. The Comtesse Florac *née* L. de Blois, how that very first letter of hers rivets the reader's attention! 'I hold you always in my memory. As I write, the past comes back to me. I see a noble young man who has a soft voice and brown eyes. I see the Thames and the smiling plains of Blackheath. I listen and pray at my chamber door as my father talks to you in our little cabinet of studies. I look from my window and see you depart.' What suggested this letter to Mr. Thackeray? Was it not that charming series of letters to Richardson from Mrs. Klopstock? From the Comtesse de Florac,



by an easy transition, we come to her son,—the brave, generous, frank, woman-conquering Florac. What a wonderful Briton he becomes at Rosebury! 'In conversation with his grooms and seryants he swore freely,—not that he was accustomed to employ oaths in his own private talk, but he thought the employment of these expletives necessary as an English country gentleman. He never dined without a roast beef, and insisted that the piece of meat should be bleeding, 'as you love it, you others.' He got up boxing-matches; and kept birds for combats of cock. He assumed the sporting language with admirable enthusiasm, 'drove over to cover with a steppère—rode across countri like a good one, and was splendid in the hunting-field in his velvet cap and Napoleon boots.' Honest Fred Bayham! There never was a heartier fellow in the world. 'See me—me F. Bayham,—descended from the ancient kings 'that long the Tuscan sceptre sway—'ed,' dodge down a street to get out of sight of a boot shop, and my colossal frame trembles, if a chap put his hand on my shoulder as you did Pendennis the other day, in the Strand, when I thought a straw might have knocked me down. Faults F. B. has, and knows it—humbug he may have been sometimes, but I'm not 'such a complete humbug as Charles Honeyman.' Charles Honeyman just spoken of, with his diamond ring and scented cambric handkerchief, great in the lachrymose line, and as a preacher at Lady Whittlesea's chapel, but greater far in those eloquent ornate epistles, so profusely underlined, in which the *machinations of villains* are laid bare with italic fervor; the coldness, to use no harsher phrase, of friends on whom *reliance might have been placed*; the outrageous conduct of Solomons; the astonishing failure of Smith to pay a sum of money on which he had counted as on the *Bank of England*; finally the *infallible certainty* of repaying (with what heartfelt thanks need not be said) the loan of so many pounds next *Saturday week at furthest*.' Cheerful Mr. Binnie, chirruping in his cups, and demolishing Honeyman with the arguments of Hume and Gibbon, of whom he was an enthusiastic admirer. J. J. the pale, the sickly boy of genius, whose history has been promised to us, and is eagerly and anxiously expected by thousands. 'What are the world's struggles, brawls, successes, to that calm recluse pursuing his calling. See twinkling in the darkness round his chamber, numberless beautiful trophies of the graceful victories which he has won; sweet flowers of fancy reared by him; kind shapes of beauty which he has devised and moulded. The world enters into the Artist's studio, and scornfully bids him a price for his genius, or makes dull pretence to admire it. What know you of his

'art? You cannot read the alphabet of that sacred book. 'What can you tell of its glories, joys, secrets, consolations?'—The Colonel himself, Mr. Thackeray's master-piece;—the dashing, impetuous, high-souled Ethel;—Lord Kew the type of a young English nobleman;—Gandish of the 'igh art; Little Smee the portrait painter;—Moss who 'kep away' from his sick friend lest his presence should unpleasantly remind the invalid of the two pound three which he owed; Sherrick (some say his name is Shadrach and pretend to have known him as an orange boy, afterwards as a chorus singer in the theatres, afterwards as secretary to a great tragedian) the wine merchant who has tried his hand at every sort of speculation;—his wife, 'no other than the famous artist, who after three years of brilliant triumphs at the Scala, the Pergola, the San Carlo, the opera in England, forsook her profession, rejected a hundred suitors and married him;—the ogling leering, scheming, artful old campaigner, and Miss Rosey in pink crape with her six songs, and her 'oh uncle' or 'oh mamma,' 'why did you tell,' and 'wicked, wicked mamma?' Jack Belsize as hairy as Esau, and unfortunate Lady Clara Pulleyn; the Most Noble the Marquis Farintosh, in his uniform of the Scotch Archers, or in his native Glenlivet tartan with his twenty thousand a year. Todhunter and Henchman, worthy old fellows; 'you will find Henchman in the park every afternoon. He will dine with you if no better man ask him in the interval. He will tell you story upon story regarding young Lord Farintosh and his marriage, and what happened before his marriage and afterwards; and he will sigh, weep almost at some moments, as he narrates their subsequent quarrel and Farintosh's unworthy conduct, and tells you how he formed that young man. My uncle and Captain Henchman disliked each other very much I am sorry to say—sorry to add that it was very amusing to hear either one of them speak of the other.' The match making old lady Kew.—'I am Bogey, Clive, and I frighten everybody away,' little Miss Cann playing on her old and weazened piano, while J. J. listens. 'She plays old music of Handel and Haydn and the little chamber anon swells into a cathedral, and he who listens beholds altars lighted, priests ministering, fair children swinging censers, great oriel windows gleaming in sunset, and seen through arched columns, and avenues of twilight marble.' Major General Sir Thomas de Boots, with his red face, tight girth, choking white neckcloth, voluminous waistcoat and orders; Madame D'Ivry who lays the train for the duel; her friends Blackball and Punter; Steno the foolish little Gascon; Hobson Newcome and

his amiable and virtuous family; Martha Honeyman. What an endless crowd of people it is. Amidst such we daily live, and move, and yet take no note. The eye of genius marks the salient points of character, and we discern them when its hand jots them down. In three words, sometimes, with a magical stroke of the pen, as it were, a man or woman is described—fixed on the canvas and our imaginations, at once and for ever.

We had hoped to make long extracts from the *Newcomes*, and as we skim over its pages for the hundredth time, stronger and stronger comes the temptation. Our limits, however, will not permit us to make more than one quotation. Here it is.

'The writer of these veracious pages was once walking through a splendid English palace, standing amidst parks and gardens, than which none more magnificent has been seen since the days of Aladdin, in company with a melancholy friend, who viewed all things darkly through his gloomy eyes. The housekeeper, pattering on before us from chamber to chamber was expatiating upon the magnificence of this picture; the beauty of that statue; the marvellous richness of these hangings and carpets; the admirable likeness of the late Marquis by Sir Thomas; of his father, the fifth earl, by Sir Joshua, and so on; when, in the very richest room of the whole castle, Hicks—such was my melancholy companion's name—stopped the cicerone in her prattle, saying in a hollow voice. "And now madam, will you show me the closet *where the skeleton is?*" The scared functionary paused in the midst of her harangue; that article was not inserted in the catalogue which she daily utters to visitors for their half-crown. Hicks' question brought a darkness down upon the hall where we were standing. We did not see the room; and yet I have no doubt there is such an one; and ever after, when I have thought of the splendid castle towering in the midst of shady trees, under which the dappled deer are browsing; of the terraces gleaming with statues, and bright with a hundred thousand flowers; of the bridges and shining fountains and rivers wherein the castle windows reflect their festive gleams, when the halls are filled with happy feasters, and over the darkling woods comes the sound of music;—always, I say, when I think of Castle Bluebeard—it is to think of that dark little closet, which I know is there, and which the lordly owner opens shuddering—after midnight—when he is sleepless, and *must* go unlock it, when the palace is hushed, when beauties are sleeping around him unconscious, and revellers are at rest. O Mrs. Housekeeper: all the other keys hast thou; but that key thou hast not!

Have we not all such closets, my jolly friend, as well as the noble Marquis of Carabas? At night, when all the house is asleep but you, dont you get up and peep into yours? When you in your turn are slumbering, up gets Mrs. Brown from your side, steals downstairs like Amina to her ghoul, clicks open the secret door, and looks into *her* dark depository. Did she tell you of that little affair with Smith long before she knew you? Psha! who knows any one save himself alone? Who in showing his house to the closest and dearest, does not keep back the key of a closet or two? I think of a lovely reader laying down the page and looking over at her unconscious husband, asleep, perhaps, after dinner. O yes, madam, a closet he hath: and you, who pry into everything, shall never have the key of it. I think of some honest Othello pausing over this very sentence in a railroad carriage, and stealthily gazing at Desdemona opposite to him, innocently administering sandwiches

to their little boy—I am trying to turn off the sentence with a joke, you see—I feel it is growing too dreadful, too serious.' Vol 1 pages 112-3.

Pitched in the true Thackeray key is that music; is it not? The passage has been quoted often in reviews and magazines, but it is too good ever to get stale.

Vanity Fair comes next according to our table of merit. And what shall we say of Vanity Fair? It was the work which first brought Mr. Thackeray into notice, and is undoubtedly a work of no ordinary genius. Whenever and wherever published it would have commanded attention. Its vivid and accurate pictures of life, its subtle and wide insight into character, its philosophy, its pathos, at once challenged universal admiration. The reason that we have placed it so low in comparison with Mr. Thackeray's other productions is that Vanity Fair is too truculent, too hard, perhaps too harsh in its judgments of the world. Mr. Thackeray's pen had not then become mellow, nor had it benefitted, by those severe criticisms in the reviews and newspapers which Mr. Thackeray has no doubt always affected to despise, and which in many respects, were certainly open to his contempt, but which have nevertheless insensibly acted upon his subsequent productions and made them more generous in their tone.

It may not be uninteresting to note some of the objections raised by the reviews against Vanity Fair. First of all, there was Dobbin's splay feet, big hands and lisp, which we have already disposed of, deciding in favor of our author. Second,—there was a charge of insipidity against Amelia. This charge Mr. Thackeray bitterly resented at the time, but there was some little truth in it, mixed up with much exaggeration; gentleness and goodness, it is to be feared, must often seem a little insipid, and so far Amelia was insipid; but in her insipidity there was nothing to repel. She was very loving and very loveable. There was not much strength of character in her, but who wants such strength in a wife—no, the less of it, we agree with Brown, the better! Mr. Thackeray must have felt the critic's censure somewhat keenly for his next heroine was Rachel Esmond, a perfect lady, as we think,—though his critic immediately charged him with running from one extreme to another. Third—Mr. Thackeray was taken to task for crowning the career of Becky Sharp with a murder. Why a murder? Why end a comedy like a tragedy? In the same way he was asked why Beatrix in Esmond should have become—plain words are best—so utterly abandoned at the conclusion? For our parts, we think that nowhere has Mr. Thackeray shown more judgment than in these two points. He would have been false to his own high instincts, if to please a morbidly fastidious

taste, or gratify a sham delicacy he should have written differently. The very grimness of each catastrophe heightens the moral effect. *Vanity Fair* is not a comedy, it is a faithful representation of life. Is life a comedy? After painting Becky Sharp's downward career step by step, to omit that appalling background would have been to trifle with his duty as a public teacher, if it would not even have been to pander Ainsworth-like to public depravity. It will be remembered that nothing throughout is broadly stated. Nowhere from the commencement are we certain of the lady's guilt? We are left to infer. Her position is equivocal;—that is all. Neither in the dazzling saloon of the Marquis of Steyne, nor in the garret of the obscure continental town, with German medical students craving admittance can one be positive that Becky is criminal; no more can one be that she murdered Jos Sedley. An air of suspicion floats round her ever; it grows denser and denser, it becomes almost suffocating—but there the Master-hand stops,—and in so stopping proves how deep and profound is its skill. Surely no more faithful picture of life, as it daily presents itself to us, has ever been drawn.

Looking over the range of characters one cannot help being struck with the prominence and individuality with which many of the figures stand out. George Osborne's father, the beetle-browed tyrant, the type of an English merchant, obstinate but generous, to whom nothing would have given greater pleasure than to see his little grandson in Parliament couch a lance against the best speakers of the day;—broken-down old Sedley, still dreaming of making fortune, and carefully tying up prospectuses of wine and coal companies with red tape;—Col. O'Dowd of O'Dowdstown, so good natured, corpulent, and brave; and his lady with her jolly, mottled arms and magnificent turban and bird of paradise, her broad Irish accent, and kindly woman's heart; Stubble and Spooner, the ensigns; old Crawley the type of everything low and mean; frank, generous, but stupid Rawdon; the conceited Sir Pitt and gentle Lady Jane, who steals into the picture like sunshine; the invalid old Miss Crawley whom every body propitiated with an eye to her fortune; Col. MacMurdo so much at home in affairs of honor; the fox-hunting parson, his worldly wife, and promising son, who in lighting his cigar extinguished all hopes of a fortune. Can we spare any of the motley group? Is the assemblage less notable than the throngs in *Pendennis* and the *Newcomes* we have already noticed? Are we not familiar with each and all of the characters as with people whom we have met and expect to see again? Turning over the leaves of our well-thumbed copy we almost sigh to think we have placed

Vanity Fair fourth in order of merit, and the old feeling comes over us that *that* work of Mr. Thackeray's is his best, which we have read last.

Of the Virginians, which we consider the worst of Mr. Thackeray's larger productions, we shall say little. It commenced well, and there is a great deal of writing in it which would have made the fortune of any new novelist, and which may take rank with the best parts of Thackeray's other works, but it has been very much spun out towards the end, and must be pronounced on the whole a failure. Our author after proceeding well for a time, seems to have tired of his work, and to have had no heart in it. The historical characters by no means answer our pre-conceived notions. Washington is not bad; Wolfe is perhaps better; but the glimpses of George Selwyn, and Lord March, and the great lexicographer disappoint us much. Theo and Hetty are delicious little pictures, and we would much rather have such portraits from Mr. Thackeray's pen than the outrageous caricature with which he has favored us of the world's and Boswell's Johnson. The revival of Beatrix, too, appears a mistake. It would have been judicious, we think, to have dropt the curtain on her with Esmond. If the revival of Sam Weller and his father in Master Humphrey's Clock has been condemned as injudicious, much more may this. The moral had been sufficiently pointed, and to bring the old lady again before the audience, was not required. Not that she disappoints; she answers expectation; but in this instance, any account of her would be worse than a discreet silence. She is still the same worldly, selfish, impure woman, which we had before supposed her to be, with larger experience, and grey hair, but no godliness, and no renunciation of her former ways. If a streak of goodness, and generosity, and love, comes across her petrified heart, in beholding, the innocent children of cousin Harry Esmond, the 'finest gentleman' that she ever knew, it comes in spite of her, from impulse, and not principle. She dies, mourned and loved and even pitied by none, like old Sir Pitt Crawley. There is no lack of power, or of instruction in the representation, but we would rather have been spared witnessing it, and the more so because Sir Pitt's melancholy end is not yet forgotten.

Among Mr. Thackeray's minor works we consider Mr. Brown's Letters to his nephew best; its easy, natural, graceful style has peculiar charms for us; Jeannette's Contributions second; the Snob Papers third; and the Luck of Barry Lyndon and the Burlesques last of all. From this estimate, we of course, exclude The Great Hoggarty Diamond, which we have already noticed in the

course of this article as a rare jewel, far superior—we say it deliberately—to the Vicar of Wakefield.

We had marked for extract a long passage on love, marriage, and women from Brown's Letters, but our space will not permit its insertion, and this we regret the less as the book is, or ought to be, in every body's hands. A much shorter extract can only be given here.

*How Mr. Brown served Ruffles when they were invited by the Marquis de Sweetbread to dinner to meet Prince Schwartzberg and the Helman Platoff.*

'I was myself a young one, and thought Ruffles was rather inclined to patronise me: which I did not like. "I would have you know, Mr. Ruffles," thought I, "that, after all, a gentleman can but be a gentleman; that though we Browns have no handles to our names we are quite as well-bred as some folks who possess those ornaments"—and in fine I determined to give him a lesson. So when he called for me in the hackney-coach at my lodgings in Swallow Street, and we had driven under the porte-cochère of Sweetbread House, where two tall and powdered domestics in the uniform of the Sweetbreads viz spinach-coloured coat, with waistcoat and the rest of delicate yellow or melted-butter colour, opened the doors of the hall, what do you think, sir, I did? In the presence of these gentlemen, who were holding on at the doorg I offered to toss up with Ruffles, heads or tails, who should pay for the coach; and then purposely had a dispute with the poor Jarvey about the fare. Ruffles's face of agony during this transaction I shall never forget. Sir, it was like the Laocoon. Drops of perspiration trembled on his pallid brow, and he flung towards me looks of imploring terror that would have melted an ogre. A better fellow than Ruffles never lived—he is dead long since, and I don't mind owing to this harmless little deceit.'

James's History of the Honorable Mr. Deuceace's and his father's doings is very rich. It is too long to extract. Is not Earl Crabbs the great prototype of Sir Pitt Crawley? The Snob Papers are deservedly popular. The Luck of Barry Lyndon we like least, because it is not in Mr. Thackeray's usual vein. The Burlesques have very much the air of what is called deadlively, and as deliberate travesties, are unworthy of our author's high reputation. The Novels by Eminent Hands and some of the Sketches of Character are very good, and among the Short Tales we may notice, The Fatal Boots, The Ravenswing, Mr. and Mrs. Frank Berry, as indicative not only of high genius, but of the peculiar bent of that genius. They exhibit an endless fund of humour, keen insight into character, thorough knowledge of the world; and the first glimpse of that relentless satire which when fully developed in Vanity Fair, at once placed our author in the rank of the first satirist not only of this, but of all generations.

On Mr. Thackeray's poetry Warrington has already passed judgment. 'Pen's is not first chop.' The public concur in the

verdict; it is not first chop, that is, not equal to Tennyson; but at the same time, it would be absurd to say that it is not far better than the ordinary run of magazine poetry. There is an earnestness and simplicity in the sentimental pieces which place them far above the level of our every-day literature. And who amongst the brilliant contributors of *Punch*, including even Shirley Brooks and Tom Taylor, could rival Pleaceman X's happiest efforts such as Jacob Omnium's Hoss, or the best of the *Lyra Hybernica*, the poems of the Molony of Killbally Molony such as the Ball to the Naypaulase Ambassador.

The best of the serious pieces are the *May-day Ode*, published originally in the broad sheet of the *Times*,—a journal with which Mr. Thackeray had some time before quarrelled for a most ungenerous attack on a small Christmas Book,—*The Ballad of Bouillabaisse*, the *Cane bottomed Chair*, the *Pen and the Album* and the *End of the Play*.

We extract a few lines from the last, the truth of which must come home to every bosom.

Good night! I'd say, the griefs, the joys,  
 Just hinted in this mimic page,  
 The triumphs and defeats of boys,  
 Are but repeated in our age.  
 I'd say, your woes were not less keen,  
 Your hopes more vain than those of men,  
 Your pangs or pleasures of fifteen,  
 At forty-five played o'er again.  
 I'd say, we suffer and we strive,  
 Not less nor more as men than boys;  
 With grizzled beards at forty-five,  
 As erst at twelve in corduroys.  
 And if, in time of sacred youth,  
 We learned at home to love and pray,  
 Pray Heaven that early Love and Truth  
 May never wholly pass away.  
 And in the world, as in the school,  
 I'd say, how fate may change and shift;  
 The prize be sometimes with the fool,  
 The race not always to the swift.  
 The strong may yield, the good may fall,  
 The great man be a vulgar clown,  
 The knave be lifted over all,  
 The kind cast pitilessly down.  
 Who knows the inscrutable design?  
 Blessed be He who took and gave!  
 Why should your mother, Charles, not mine,  
 Be weeping at her darling's grave?\*



We bow to Heaven that will'd it so,  
That darkly rules the fate of all,  
That sends the respite or the blow,  
That's free to give or to recall.

This crowns his feast with wine and wit:  
Who brought him to that mirth and state?  
His betters, see, below him sit,  
Or hunger hopeless at the gate.  
Who bade the mud from Dives' wheel  
To spurn the rags of Lazarus?  
Come, brother, in that dust we'll kneel,  
Confessing Heaven that ruled it thus.

So each shall mourn, in life's advance,  
Dear hopes, dear friends, untimely killed;  
Shall grieve for many a forfeit chance  
And longing passion unfulfilled.  
Amen! whatever fate be sent,  
Pray God the heart may kindly glow,  
Although the head with cares be bent,  
And whitened with the winter snow.

• Come wealth or want, come good or ill,  
Let young and old accept their part,  
And bow before the Awful Will,  
And bear it with an honest heart,  
Who misses, or who wins the prize.  
Go, lose or conquer as you can;  
But if you fail, or if you rise,  
Be each, pray God, a gentleman.

An article on Thackeray without a comparison with Dickens, would to many look like the play of Hamlet, with the part of Hamlet left out. We have endeavoured thus far to stave off the comparison, but it is inevitable. Why it should be so is more difficult to answer, for beyond the broad fact that they jointly are at the head of living writers of fiction, there is nothing in common between them. Yet go where you will, if literature be the topic, the two names are invariably coupled together. Some critics profess to admire Dickens, some Thackeray most. Perhaps the admirers of Dickens preponderate; but, while protesting against the comparison of things wholly dissimilar, we must cast in our vote with the minority, if minority it be. Concurring in the general opinion that Dickens is the greater master in the ideal, Thackeray in the real; that Dickens is the more genial, generous and romantic, Thackeray the more, vigorous, caustic, and shrewd; we must yet give the palm of superiority to the last, not less on account of his terse,

pointed and classical style, than for those lofty aims of which he never for a moment loses sight. To reclaim and elevate his readers, to compel them to analyze and examine their motives of action, to discover the true nature of those flattering unctious, with which as virtues or duties they stifle their consciences, and to instruct them to sympathize more with people inferior to them in wealth, in rank, or intellect;—these are Mr. Thackeray's aims. As artists, Mr. Dickens' creations resemble Frank Stone's beautiful pictures, while Mr. Thackeray's resemble photographs. However much we may admire the skill with which the first are colored; in faithfulness they must yield; nor is it any disgrace to Dickens to add that while he must rest content with the honor of being a noble follower of an old school,—a school of which Shakespeare was the great master,—Thackeray may proudly call himself the founder of a new school, in which life appears as it is, and where if we have no model heroes composed of all that is good, and noble, and no model villains composed of all that is despicable in us, we have such men as we daily meet in our walks through life. No character in Thackeray is without infirmity. Lady Rachel Esmond listens through a keyhole, as we have seen, when she finds her husband about to engage in a duel; Colonel Newcome's bamboo cane comes formidably in front when he detects Barnes Newcome's falsehoods, and his subsequent judgments of his relatives, however natural, are not what Pendennis would have wished his venerable friend to form; Pendennis is but 'a brother and a man;' and the noble Dobbin has 'splay feet' and lisps abominably. On the other hand, what tints of goodness appear in places where we should have least expected them. How affectionate and brave is old Major Pendennis notwithstanding his worldliness and his toadyism. What a good fellow is Fred Bayham, though he will never accompany you through Cursitor Street in which his tailor's shop is situated! And do you not confess to some liking of the chaplain in the Virginians, who said he would have flung over Master Will into the pit for whistling and hissing at George's new play, (and the reverend gentleman was fully man enough to execute the threat) 'but he saw a couple of Mr. Nadab's followers prowling 'about the lobby, and was obliged to sheer off'? Even Becky Sharp brings about Dobbin's marriage, and Beatrix watches over Harry Esmond's grandchildren with maternal solicitude and affection. Is it not thus in life? Who is so good, but that he might be better? Who so bad, as to have lost all trace of humanity? There is none who has been so obedient to the will of the Father as to claim heaven on his own merits;

or else Christianity would be a fable. Our very repentance is so imperfect as to need repentance, and the best of us must be cleansed, and sanctified, and robed in another's garments, before we can be fit to stand in the presence of Purity. On the other hand, the friend of publicans and sinners, never yet cast away any one that came to him. None is so vile as to have completely obliterated in himself all marks of the Hand from which he sprung. The Roman Catholic legend of the Pope who sent the penitent robber, and adulterer, and murderer, despairing away, with the sentence that God would as soon wash out his sins which were of the colour of scarlet, as make the 'peeled staff' in the hand that denounced him, 'put forth both leaf and bloom,' and found green branches with flowers instantly spring out of it, is assuredly, however extravagant, founded upon the essentials of Christianity. No theologian understands these things better than Mr. Thackeray.

More appropriate than a comparison with Dickens would be one with Hogarth. Here the palm of higher genius would be incontestably Thackeray's, and no plea of dissimilarity in the nature of the work could be allowed. Both have a high moral purpose, of which they never for one moment lose sight, and both use the same means for the attainment of that purpose. Satire, keen, biting, relentless satire, are the weapons of both, and are used by both, with an earnestness, which, but that it is necessary, might be called ferocious, an earnestness that has made many cast upon both imputations, which neither ever deserved, and which Thackeray's later writings have shown to be utterly and ridiculously unfounded. Charges of taking the dreariest view of life, of delighting to expose the ugliest side of humanity, of vulgarity, of bitterness, of misanthropy, have been brought against both without good cause, for in neither to use the words of Coleridge on Hogarth 'has the satirist extinguished that love of beauty which belonged to him as a poet.' 'The instructive merriment at the whims of nature, or the foibles or humours of our fellow men,' which we enjoy in both is permitted by neither 'to degenerate into the heart poison of 'contempt or hatred.' If one lovely face springs up in Hogarth, amidst a multitude of hard, coarse, repulsive faces, to make atonement as it were for them and clear the atmosphere of the moral miasma, how many hundreds of beautiful faces spring up in Thackeray. If there is the 'scorn of vice' in both, to use the words of charming Eliza, there is the 'pity' too, and how that pity predominates over the scorn in the later and more gifted workman! Hogarth's love of children has been often noticed. Th

baby in the march to Finchley Common, and the little boy winding up his top in the Harlot's Funeral, have often drawn high praise from discerning critics. Thackeray's love of children is not less noticeable. Little Rawdon Crawley by his mother, and Miles Warrington by his, how each redeems the picture and touches it with sunlight! Both Hogarth and Thackeray love fun, but neither loves it more than truth. Both remember that this is not an age of gold, 'without vice and without misery,' and that to reform it they must expose it; and by both the exposure is thoroughly fearless, though not thoroughly merciless. In their weaknesses and their strength both are thoroughly English; but to the disadvantage of Hogarth it must be written that he sometimes permitted his personal antipathies to overcome his judgment, and his right hand to level against an enemy a weapon that his successor and master never levels but against the enemies of virtue and order. Perhaps on that very account, is the instrument all the more deadly and powerful. Thackeray never forgets Snob's parting words to Punch—fun is good, but truth is better, and love best of all.

If in the course of time it should be our good fortune to revisit England, one of the enjoyments on which we count, and by which we set much store, will be the privilege of meeting and perhaps making the acquaintance of Mr. Thackeray. There may be something smacking of Boswell in this confession, but we are not ashamed to make it still, remembering as we do, that Mr. Thackeray has himself confessed in his lectures, how glad he would have been to black Shakspere's shoes, or wait on Fielding with his cup of coffee in the morning, and not forgetful of that kindly hand which has painted the unsophisticated and generous Colonel Newcome in the chambers of Pendennis and Warrington, that room with its dingy curtains and prints and book cases, its litter of proof sheets, blotted manuscripts and books for review, empty soda water bottles, cigar boxes and what not, is it absurd in us to say so much? It may be so, but we shall hope otherwise. The tall form towering above the crowd like the form of the son of Kish, the head so bountifully sprinkled with white, the face without a streak of colour, the look at once kindly and scornful, of which we have all read or heard so largely, would then no longer be phantasms of the imagination. And haply we might hear the (*Qu'en dites vous*) which greeted the authoress of *Jane Eyre* as she left the lecture room where duchesses and countesses had crowded to listen to the greatest comic writer of the present age speak of his predecessors, or sit at his own table (is not this too broad a hint Mr. Brown?) and

attend to some old reminiscence of Goethe or Maginn,—or in the study see though but for a moment, in that honored hand the famous gold pen which created Rebecca Sharp and Thomas Newcome, Jack Costigan and Rachel Esmond, for the laughter and tears of endless generations, and which uttered no empty boast when it wrote in an album :—

Nor pass these words as idle phrases by,  
Stranger, I never writ a flattery,  
Nor signed the page that registered a lie.

ART. V.—1. *Reports of decisions of the Judicial Committee of the Privy Council on appeal from the Supreme and Sudder Dewany Courts in East India*. Vol. VIII. By E. F. MOORE. London: 1861.

2. *A Practical Treatise on the Appellate Jurisdiction of the House of Lords and the Privy Council*. By JOHN MACQUEEN. London: 1842.

3. *Practice of the Judicial Committee of the Privy Council*. By WM. MACPHERSON. London: 1860.

4. *Proceedings and Ordinances of the Privy Council of England*. By Sir HARRIS NICOLAS. 7 Vols. London: 1831.

5. *An Essay on the Authority of the King's Council*. By Sir F. PALGRAVE. London: 1844.

THE object of the following pages is to elucidate the history of the only institution in England, with which India and the British colonies, are habitually and directly brought into contact. The wise principles which have animated the recent dealings of the mother country with the colonies, have withdrawn their affairs very much from the immediate contact of Parliament, but have centered in the Sovereign in Council a constant control over the administration of justice. This right is inherent in the person of the sovereign and belongs to the idea of royalty. In reference to India that right has been the subject of several Acts of Parliament, defining, controlling and confirming it. The 3 and 4 William IV. c 41, created 'the Judicial Committee of the Privy Council' and secured a certain and speedy hearing of appeals from India, and to facilitate such hearing provided for the appointment of retired Indian Judges as Assessors to the Court. The Privy Council also entertains appeals from the Ecclesiastical and Admiralty Courts, but not from the Courts of common law and equity, or in criminal cases when the crime is committed within the jurisdiction of the British Courts. It is also the recognized executive or deliberative body of the state—the cabinet being entirely unknown to the law. We desire to trace and ascertain the legal rights and constitutional importance of an institution which is interesting to India in common with the whole colonial empire of Great Britain. Nor is the subject without importance in the constitutional history of Great Britain,

for in a structure of such continuous growth almost every part has a separate history and marks the fate of a distinct principle of politics. The struggles of the commons and the rise of the third estate are more familiar subjects, and appeal to popular sympathy; but the vicissitudes to which the sovereign's privy council has been exposed are of hardly less historical and constitutional moment.

The Saxon times are the source of English history, and in their rugged simplicity, we are accustomed to seek the indistinct and half-formed outlines of institutions familiar to ourselves in the fulness of maturity. A council of government however is so obvious an expedient, that every nation not entirely destitute of free spirit has adopted it. In Tacitus \* we have the well known description of the primitive Germans 'de minoribus rebus principes consulunt: de majoribus omnes; ita tamen ut ea quoque quorum penes plebem arbitrium est apud principes pertractentur.' In other words we find there is a select council of administration; the larger body meet to control, advise and legislate. The affinity of race prepares us for the striking resemblance to this which we find in the Homeric council. There the separate functions of the βουλὴ and the ἀγορὴ are constantly distinguished. The former, composed of γέροντες whose power and personal capacity conferred the right of attendance, were entrusted with the more secret business of the executive and exercised in the latter the indisputable influence of intellectual superiority. The ἀγορὴ in its turn was the arena where the great questions of peace and war were discussed and decided by the general voice of the community. Amongst the Anglo-Saxons we find traces of two distinct councils—one the precursor of Parliament, the other the germ of the Privy Council. The first—well known to us as the witenagemote—was convened by royal writ at all seasons of the year; Christmas, Easter and Whitsuntide being then, as subsequently under the Normans, most usually selected. It undoubtedly possessed concurrently with the king the legislative power; its share in the executive extended to treaty making, negotiations with foreign powers, the conduct of hostilities, and even in some degree to a supervision over the grants to monasteries and the state of ecclesiastical discipline. As a high court of judicature, the principle on which its authority was chiefly based grew out of the frequent necessity for the executive interfering, where by reason of 'might on one side and unmight on the other,' the due administration of justice was impeded and defied.

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\* Germ. XI.

† Gladstone's Hom. vol III. 94-144.

• On the other hand, we have the select council, or committee of administration, apart from the larger witenagemote; its existence has however been disputed. From the circumstances of the time the natural presumption in its favor is neglected perhaps amidst our notions of the popular spirit of the administration. A full assembly of the witenagemote, even if we restrict the right of attendance to thanes who held forty hydes of land, would be of unfrequent occurrence. As business multiplied it would naturally fall into the hands of a select few, chosen, probably, by the king from his witenagemote. Men, whose intellectual and material resources gave them ascendancy in church or state, whose sympathies were all with the ruling *caste*, and whose provincial authority was indisputable, naturally engrossed the authority of the executive, reserving questions of importance, which demanded the full strength of government, for the consideration of the more general assembly. Evidence has also been deduced from the numerous charters granted by the kings, and dated from the different manors in their progresses through their dominions, of the constant attendance of a select few in the king's council. The authority of Hincmar\* has been cited to prove the existence in the administration of Charlemagne, of a secret select council for public business, claiming also an appellate jurisdiction over the different tribunals of the country. A similar necessity—that of constant attendance on the King required by the exigencies of the administration from the time of Egbert, who came to the English throne fresh from the court of Charlemagne,—must have led to the establishment of government by ‘king in council.’ Nor is it probable that, when the select council of the kings came to be established, it would be restrained from exercising the full powers, executive and judicial, of the larger assembly by any other consideration than the insufficiency of its authority, in cases of emergency, to give a binding force to its acts and decisions.

Thus the constitutional functions of this council were twofold—executive and judicial. In either case it was the representative of the witenagemote, but placed in closer personal relations with the king, and deriving from him a more direct and active authority. Judicial power was of two kinds, original and appellate. When the former was exercised by either the larger or the smaller council it was by virtue of the royal authority—it was the interference of the Government as the conservator of the public peace. The latter devolved upon the witenagemote because it

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\* Kemble's *Saxons in England*, v. 188. •



stood in the relation of a federative assembly to the local courts for purposes of protection and appeal. The whole Anglo-Saxon polity was based upon judicial institutions—the leet, the hundred, the court of the ealderman, each tenacious of its exclusive jurisdiction over suitors within its limits, but deferring to the royal witan as the great council in which all inferior jurisdictions were merged.

Both in the leet and in the witenagemote, the judicial drew after it the legislative power; they who condemned apportioned the penalty—those devised the remedy who preferred the complaint. The witenagemote consisting of ealdermen and thanes (often possessing individual powers of jurisdiction), and of delegates from provincial leets and gemots, effected a concentration of judicial power originally inherent in the local courts. These were famous for their independence, and therefore, if the witenagemote intercepted the judicial process of the court below, it violated the constitution; an appellate jurisdiction alone had been assigned and that too only when justice had been thrice denied. The more powerful thanes, who could not be rendered amenable to the inferior courts, would naturally look to the supreme council of the state. But it was contrary to the spirit of this supreme court to multiply the business which might come before it. If the plaintiff sought justice from the king in the first instance, he incurred a fine\* in compensation for the privilege. Justice must have been thrice denied at home; and the reason for this precaution against an excess of business seems to lie in the burden and inconvenience entailed by attendance on the members of the council.

But, however, favorable this scheme of polity may have been to the liberty of the subject, it certainly did not secure the general progress of society after. The Saxons had held power in the island, for six hundred years the introduction of the Normans seemed necessary to infuse new spirit into the machinery of government, though it did not essentially change its form. The courts of justice retained the same powers though the bishop was withdrawn from the county court and a royal justiciary presided in the hundred. How far this and the changes in the tenure of land by enhancing the power of the king affected the position of the *Curia Regis*, as the supreme council then, though probably not for the first time, came to be designated is a point to be considered in estimating the relative position of the select council to the king on the one hand, and to the Great Council or Parliament on the other. The continuance of this select council during the Norman period is a reasonable theory, both from the necessities of

\* Athelstan, quoted Edin. Review, vol. xxxv.

William's position as an invader and as a chieftain of a powerful band of nobles; and from the repugnance of these nobles to anything like a regular attendance at court. Whatever rights, legislative and judicial, were possessed by the Curia Regis would naturally be constantly exercised by a much smaller council, who would, in matters of higher importance, convene the larger assembly in order to give greater stability to the acts of government. The courts *de more* when William and his sons 'wore their crowns,' held at Christmas, Easter, and Whitsuntide, would from time to time vary in the numbers who attended them, and have in fact been regarded\* as the select council distinct from the Curia Regis which was even, it is said, occasionally assembled at the same time. However this may have been, there is no evidence that they differed from the Curia Regis with respect to their rights and privileges. But during this general assemblage of the barons, the powers of the select committee were suspended and the great council exercised the right of jurisdiction in the last resort,† partly we may believe from an inherent right of the peerage, grounded on feudal reasons; though in later times it was affirmed by Bracton‡ that such judicial authority existed solely by delegation from the king.

One important indication of the tendency of society to entrust the exercise of power to the hands of a responsible few is early visible. A committee of seven great officers of state with certain barons as assessors was established, possessing rights of jurisdiction which fell into its exclusive hands whilst it held sittings 'ad scaccarium.' This was the first institution of the Exchequer court—the *Curia Regis ad Scaccarium*—for the exclusive administration of all affairs connected with the revenue of the kingdom, and with jurisdiction in all causes which pertained to it, afterwards indefinitely extended by a legal fiction, which supposes some debt to the crown as the basis of the action.

This was in the reign of Henry I, and at the close of Stephen's we arrive at a period which is an era in English history. The courts which had been held 'de more' at Christmas, Easter, and Whitsuntide had now fallen into disuse; the rivalry between the secular and ecclesiastical powers had already taken the form, afterwards so strongly developed, of a tenacious claim to separate, and then superior, jurisdiction; and the sovereign, with his chief justiciary Glanville, possessed a genius for legislation which has

\* Report of the Lords' Committee on the dignity of a Peer.

† Edin. Review, vol. xxxvi. 361.

‡ Bracton iii. 10. Dictum est in proximo de ordinariâ jurisdictione quæ pertinet ad regem, &c.

gained an imperishable reputation. Every thing pointed to a new settlement of our judicial institutions. It was contended by Mr. Allen in opposition to most antiquaries, that, at the great Council at Clarendon (1164) during this reign, the separation of a smaller council from the *curia regis* first took place. In this reign at least this council was confirmed and fully established, but we also have clear indications of the existence of another court, still with the title of 'Curia Regis,' for the express purpose of administering justice, always following the king's person as the source of its authority, and on which the title of Court of King's Bench was afterwards bestowed. The chief justiciary usually presided, but the king was by law the president, and there are instances cited by Madox\* of Henry III personally sitting for the administration of justice. The rolls of the King's Bench have been published by Sir F. Palgrave† from 6 Richard I, and are the most ancient in existence; dating more than half a century beyond the "Olim" registers of the 28 Louis IX (1254), which are the oldest continental rolls preserved to us in a continuous form. The records, however, must have been taken at a still earlier period; for one in 2 Henry II is extant, and another preserved to us of 9 John quotes one which then existed of 7 Henry II.‡ Few, however, of those reigns remain, the greater number having been lost together with those of the early years of Richard I.

The authority of Benedict Abbas is relied upon by Mr. Hardy and Mr. Hallam to prove a subsequent remodelling of this court; viz that in 1176 Henry II reduced the number of justices from 18 to 5 and ordered that they should remain in the king's court to hear all writs of the kingdom, referring to the king and the wisest men of the kingdom the decision of any cause which they could not settle. Madox refers to Hoveden, who says that in 1179 the king at a great council at Windsor divided England into four parts, with a justice for each division. This will be sufficient to account for the jurisdiction of the King's Bench being intimately bound up with the common laws and usages of the country. This institution together with that of the appointment of justices in eyre soon drained away the jurisdiction of the local courts; the king's council retaining, as we have seen, a general appellate jurisdiction to correct erroneous decisions, but

\* Madox's History of the Exchequer vol iii p. 100.

† Sir F. Palgrave says (Essay p. 62), 'that the functions of this court were not unfrequently exercised by the king in person, as late as the first and second Edwards.'

‡ Palgrave's Introd. to the Rolls of the Curia Regis, sect. i and ii.

more frequently, as we may conjecture, to provide extraordinary remedies.\*

It was enacted by Magna Charta that the adjudication of all common pleas of a civil and criminal nature should be held in some fixed place. This is the date generally assigned to the origin of the court of Common Bench though it is sometimes carried back to the reign of Richard I.

Thus the three courts of common law grew out of the Curia Regis, and sought to establish their independence. In this however they could not expect at the first to be successful. The *consilium regis* sat with the king's bench and were so often mixed up with its transactions, that the style of that court was often *coram consilio regis*, or *coram rege et consilio*. Under Edward I, the epoch of the rise of the lawyers as a profession, we find this less frequent, though it still continued, either by way of advice on the part of the council, or when issue being joined before the council, in or out of Chancery, the record was sent down to the king's bench. Again the barons of the Exchequer were also lords of the Council, though forming a separate court with a special seal in custody of the Chancellor of the Exchequer. They obtained civil and criminal jurisdiction, as we have said before, under a legal fiction, until they were deprived of the latter by the statute 17 Charles I. The court of common pleas on the other hand was always distinct from the *consilium regis*: it decided in suits when brought between private parties and therefore not affecting the king.

Next we must notice the *consilium regis ordinarium* which consisted, according to Sir Matthew Hale, of all the members of the Privy Council, the great officers of state, the master of the wardrobe the treasurer and comptroller of the household, the chamberlain of the exchequer the judges of the bench, masters of chancery, till under Edward I *viripariti* or lawyers might also receive a writ of summons. When all met together they were the king's great council† and decided on the weightiest affairs of state; when the business was of a more contracted nature, those only were summoned under whose cognizance it might seem more especially to fall. The privy council were a select body of these, and entrusted with the secret affairs of state, but often from the indefiniteness of constitutional ideas then prevailing, perhaps from usurpation, exercised powers which more properly belonged to the *consilium ordinarium*.

\* This latter branch of its jurisdiction is not directly traceable higher than the reign of Henry III.

† Hale's jurisdiction of House of Lords' c. 4. of Hallam's Middle Ages, vol. iii. 138.

The office and business of this *consilium ordinarium*\* which was summoned by the king, must be described in reference first, to its deliberative office or power of advice, secondly to its decisive power or power of jurisdiction. The former of these included consultations about affairs of state and public business, as peace, war, finance, truces, leagues and matters of that sort, to which they were summoned by the king. The latter comprised petitions to the king when specially recommended by him to them; also petitions addressed to king and council, and of course those addressed solely to the council. These petitions were not very generally decided before the council. Sometimes they referred them *coram magno consilio*, sometimes *coram rege*. The usual custom, however, was to refer them to the courts, where they were legally determinable. The Council would easily be induced to part with this element of power, partly in deference to the jealousy of the people in favor of common law, partly because the judges of the bench were always members of the *consilium ordinarium*, and in the early history of these courts the members of the *consilium ordinarium* were of right assessors to them. Till 5 Richard II c. 9 the usual way and remedy for the king's creditor was to petition the Council in Chancery.

The Privy Council grew up out of the *consilium ordinarium* whose name it for a long time retained. It was a committee of government sworn to secrecy, and it gradually assumed a separate existence, as partly the courts of law became established in their independence, partly they themselves had no occasion for the presence of the judges and lawyers in the more secret business of the executive. It did not in general assume the title of Privy Council of England till after the reign of Henry VI.,† though earlier instances are found of its adopting the name. The indefiniteness of its authority arose from the fact that its members also belonged to the *consilium ordinarium*, and as such could appeal to abundant precedent for their interference in the proceedings of the courts, both of law and equity. The justification of such interference arose from precedents alone—the questionable precedents attending the gradual birth of those courts, before their independence was secured and their authority defined. The exercise of this authority on the part of the king's council, however salutary it might be in some cases, admitted of being ren-

\* As the *consilium ordinarium* became more defined in its constitution, the great council appears in a two-fold phase according as it sat in parliament or out of it; in the former alone did it exercise judicial and legislative powers (vide Hale c. 2.); in the latter it had ceased to appear in Hale's time.

† Sir Harris Nicolas's Preface to Rolls of Privy Council, vol. I, p. 4 &c.

dered subservient to the worst passions of political life. It was contrary to the genius of our Saxon institutions, and was resisted by the free spirit of our forefathers, as an unwarrantable stretch of arbitrary power. In the direct exercise of royal prerogative and aristocratic influence, it had a constant tendency to swerve into paths unknown to the constitution, and subversive of the long established rights of judicial independence. And although in an early period of our constitutional history, the weakness of established law required the arm of Government for the security of society, still the whole frame work of the constitution of the country having been erected with a view to render law supreme over the throne and over the executive, every effort was made to repress its extravagances, till under the sway of the Tudors, the licence of prerogative defied the control of law. The act of 3 Hen VII. c. i., which established and extended the Star Chamber, obeyed the worst precedents of an infant society, in which the legislature had, probably from necessity, entrusted the executive council of government with direct jurisdiction. Those precedents we must exhibit, as well as the statutes directed against their oppressive consequences, and in them we hope to find an explanation of the institution of the Star Chamber—a tribunal whose excesses were among the prominent causes of the civil wars of the seventeenth century.

Unsuccessful in its attempts to render the courts of common law the instruments of its authority, the Privy Council had nevertheless a fruitful source of influence in the extensive equitable jurisdiction, which was then in being, and to which at first the council possessed an undivided claim. It included, at that early period of our judicial forms, the cognizance of crimes and a general right to interfere with the due course of law. But though the administration of equity was vested, in early times, in the king's council,\* there was growing up also from an early period the Court of Chancery which gradually established its supreme power. We need not stop to discuss the antiquity of this equitable jurisdiction† of chancery, but merely its extension from the reign of Edward I to that of Richard II. Chancery down to the time of Fleta, consisted of clerks, who examined petitions and afforded relief by the king's writ. The council was accustomed to borrow its own process from the chancellor, who held the Great Seal, and who, partly from that fact, and partly from the ability from time to time displayed by him, succeeded in securing the

\* Palgrave's *Essay* 3-4.

† Vide Campbell's *Lives of the Chancellors*, vol. i. p. 186.

presidency of the council, and eventually, the right to hold a separate court of appeal. John gave to the justiciary the power on his own authority to issue writs *de cursu*. These writs were then\* five in number, but in the next reign they increased to fifty-one. The king's consent was always necessary for special writs of any kind—after the Mad Parliament at Oxford the further consent of the council was required.† Edward I was accustomed to delegate the exercise of his prerogative to the Chancellor and Master of the Rolls by writ of privy seal as well as to the Council.‡ In the reign of Edward II, according to the instance quoted by Lord Campbell,§ the court was in the habitual exercise of its functions, and under Edward III the Chancellor became possessed of ordinary jurisdiction of great importance.

The question now arises as to the Council's relation to and influence upon the Court of Chancery. The original bond of union was in the person of the Chancellor, who presided in both and from whom the process of each originated. Causes pending before the council became for the most part returnable into Chancery to be heard *coram consilio regis in cancellaria*. Chancery together with the council often based its jurisdiction|| in certain cases on special acts of parliament passed for that purpose. And we have the opinion of Sir Francis Palgrave¶ that it may be

\* Viz. those *de recto—mort d'auncestre—novel disseisin—de nativis et fugitivis—de divisis faciendis*.

† Vide Palgrave's Essay

‡ It was during this reign that the office of justiciary was abolished, and the separate jurisdiction of chancery established

§ Lives of the Chancellors, vol. i. 206-9.

|| e. g. (1) with reference to the privy council.

27 Ed. III c. 1. *Statute of Provisors* enabling them to take cognizance of all cases of illegal suing in the Court of Rome.

12 Ric. II. c. 2. in all cases of *scandalum magnatum*.

13 Hen. IV. in cases of great riot and public disturbance.

(2) with reference to the Court of Chancery.

36 Ed. III. "if any man that feeleth himself aggrieved contrary to any articles above written, or others contained in divers statutes, will come into chancery, or any for him, and there make his complaint, he shall presently there have remedy by force of the said articles, without elsewhere pursuing to have remedy." Vide Hallam's Middle Ages, vol. III, 248.

2. Hen. 5 st. 1. c. 9. enabled the Chancellor to issue writs of proclamation in cases of murder and bloodshed, exactly analogous to those issued by the council or by parliament.

33. Hen. 6. c. 1. extended this power for the apprehension of fugitive servants, embezzling the goods of their masters, to be exercised nevertheless, with the advice of the chief justices of either bench, or of the chief baron of the exchequer.

¶ Palgrave's Essay on King's Council, p. 25.

\* considered as fully established, that until a comparatively recent period, the Chancellor never exercised any judicial functions unless when directed by the council or acting by its authority. The ordinary course of events,\* and the constant desire of independence, natural to a court of justice in a free country, tended to the establishment of the separate jurisdiction of the Chancery courts. This was consummated in the reign of Richard II, when on the introduction of feoffments to uses without any legal security for the *cestui que use*, the courts of equity undertook to protect him, and by enforcing the earnest appeal to the conscience of the feoffee which was generally inserted in a deed to uses, recognized the existence of fiduciary estates, which remained without the pale of common law. Thus they gained exclusive cognizance over a most important branch of business transactions and established an ascendancy which they have retained to the present day.

What then had become of the authority of the Privy Council? Deprived as it would seem, in great measure, of the exclusive exercise of either ordinary or extraordinary jurisdiction, the inference would be, that it was confined to the power which alone it had properly inherited from the *consilium ordinarium*, viz the deliberative power, or power of advice. Nor were these courts of law and equity the only rivals to its authority. The Great Council had developed into a Parliament, and the House of Lords in the time of Edward III seemed disposed to resume the old functions of the great body, of the aristocracy, and reconstitute themselves the High Court of English Justice, reducing the Council to the position of advisers and assessors, or, as Sir M. Hale terms it, to that of a *consilium in consilio*. The 'faithful and discreet' commons also aspired to share in the supreme judicial authority, and instances are recorded of their interference. By the time of Henry V this jealousy had grown till they petitioned that no 'authority of Parliament' should be conveyed to either the Council or the Chancellor, for the purpose of putting any man to answer, contrary to law, without the endorsement of and "the assent and request of the Commons."† Statute law throughout had not been neglected in the endeavour to repress the authority of the Council. Magna Charta itself had laid down as

\* The transfer of the Chancellorship from the exclusive hands of the clergy, in the reign of Edward III, tended to throw the Courts of Chancery more on the side of the people.

† Rot. Parl. IV. 187, Vide Palgrave's Essay. This seems to have been intended to restrain the practice of issuing writs to the Sheriff to make proclamation for any man within the county, to appear before the Council or the Chancellor



a precedent that no freeman should be arrested, imprisoned, or disseised of his freehold, or outlawed or destroyed in any manner except by judgement of his peers or by the law of the land. The 5 Ed. III declared, that no man should be prejudged of life and limb, nor should his lands, tenements, goods and chattels be seized into the king's hands, contrary to the great Charter and the law of the land. The 25 Ed. III c. 4 enacted, that no man should be taken by petition or suggestion to the king and his council, unless it were by writ original at the common law, nor should he be put out of his franchise or freehold, unless he were duly put to answer, and prejudged of the same by due course of law. The 42 Ed. III. c. 3. in reference to persons accused and taken, and caused to come before the king's council by writ, or otherwise against the law, enacted that no man be put to answer without presentment before justices or master of record, or by due process and writ original, according to the old law of the land. These statutes were constantly evaded, but still other abridgements of the council's power were devised. *Auditores petitionum*\* were established, who soon absorbed their business in reference to petitions in parliament. State business multiplied and withdrew their attention, and finally, the expenses incurred induced the suitors themselves to institute their suits, in the first instance, in the courts where they were legally determinable. Thus the decisive power of the council *in foro contentioso* became limited to their influence in the house of Lords as a *consilium in consilio*, to the authority which devolved on them during the parliamentary recess, to the king's delegated right of royalty. Ordinances could be made by the council at the petition of the commons and with the consent of the lords to avoid the necessity of a new law, or they could be made by the king and council, or by the council with the king's consent.

It would be beside the purpose of this article to trace the rapid growth of the power of chancery during the reigns of the three Edwards. It undoubtedly had together with the rise of the commons great influence in settling and defining, for a time and to a certain extent, the authority of the Privy Council. But it was an inevitable result of each minority, and each appointment of a council of Government by the legislature, or by an aristocracy in arms, that the powers of the king's continual council became increased. It was with the long minority of Henry III that its judicial and political authority became established, and we enter

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\* These were a parliamentary committee consisting of bishops, earls, barons, and judges. They answered in the name of the council, and occasionally referred their business to the *magnum consilium*. Palgrave.

on the path of its ascertained history. From that time downwards its members were the ordinary advisers of the crown, and in the 43rd of his reign Henry III promised to do nothing without the consent of the nobles, selected to be his council.\* After 20 Edward I, the justices of the king's bench were no longer members of it, and under Henry V the jurisdiction of the council and of chancery became distinct. The work of separation continued till in the reign of Edward IV the judges declared 'that the four courts were the king's courts and had been so time out of mind, so that no man knoweth that which is most ancient.'†

The reign of Richard II followed by the rise of the Lancastrian dynasty forms an important epoch in our constitutional history. The courts of law and equity were by this time strong enough to restrain the judicial authority of the council, and accordingly we find that from Richard II to Edward VI, greater regularity was observed in its proceedings. Still however the watchful eye of Parliament was ever observant of its conduct, and the evidence which the Rolls and Statute Book afford of the estimation in which it was held, will materially assist in ascertaining its historical and constitutional position. We must however before pursuing any further this part of our subject first advert to the authority, which the Council exercised in the executive administration of affairs. The conduct of Richard had tended to provoke the power of parliament, and to throw all classes of society on the side of his council, with the view of restraining his excesses by their administrative authority. Royal authority in the next reign was weakened by the feebleness of the royal title and by internal divisions, and in the reign of Henry V by the frequent absence of the king. The long minority of Henry VI, was soon followed by the turbulence of the civil wars, and at the accession of the Tudors the council, no longer drawing its influence from the heart of a powerful nobility, became the tool of royal prerogative. During the period which immediately preceded this, we have ample historical evidence of its proceedings and ordinances in the rolls, which have been published by Sir Harris Nicolas, and which extend from 10 Richard II to 13 Henry VI, with some scattered entries for the rest of that reign, and are again renewed late in the reign of Henry VIII from 1540 to 1542. These invaluable historical records afford considerable information respecting the nature and duties of the office of Privy Councillor. The power of appointment seems to have been vested in the crown,

\* Spence on the Laws of Europe, p. 538

† 8 Co. Preface xvi. as quoted Spence's equitable jurisdiction. vol. i. p. 334.

restricted by various regulations of Parliament made from time to time as to the duration of its tenure, and by the necessity of making popular selections. We can hardly consider it otherwise than an encroachment on the prerogative, when, favoured by the circumstances of the moment, attempts were made to dictate to the king the appointments to his Council.

The great officers of state and the two archbishops sat of right at the Council board; the primate claiming for himself and his successors to be present at all the king's councils, general, special, and secret.\* Daily attendance seems to have been exacted on pain of being fined†, a consequence probably of the high salaries to which they were entitled. The question of their pay engrossed the attention of the council pretty considerably from time to time. In 13 Richard II an ordinance declares that the 'batchelors' shall receive reasonable fees, those of the lords will be regulated by the king and council. In 5 Hen VI the Duke of Gloucester was allowed the enormous sum of 3000 marks from the Treasurer for attendance in council; and an ordinance of 2 Henry VI apportioned their pay to the members of the council according to their rank, and provided a scale of fines for non-attendance in proportion to their pay. An entry of the 28th February 1424 is interesting, as it narrates the form of oath adopted by a Privy Councillor on taking his seat—'on the 28th day of the said month, 'John Lord of Scroop swore on the holy gospels in the usual form 'faithfully to counsel for the good of the king and realm, and 'was admitted forthwith to the king's council in the presence 'of the Lords, the Duke of Gloucester, the archbishop of Canterbury, the bishops of Winchester, Norwich† &c.'

Regulations for the governance of the council often formed the subject of parliamentary debate, and we also find the council laying down strict rules for their own guidance and enforcing their observance by prescribed penalties. In 10 Richard II on the 8th of March, an ordinance was made relative to the transaction of business, which gave to government business the precedence, apportioning to the justices, the chancellor, and the treasurer respectively, whatever related to the common law, to chancery or to the exchequer, reserving for the king's consideration all matters which could not be expedited without his special consent, and referring all other important business to be determined by such members of the council as might be present, with this exception that, as no grant to the detriment of the king's

\* Rolls of Privy Council, vol. i. p. 3.

† Sir H. Nicolas pref. to Rolls of Privy Council, vol. i. p. 5.

‡ Ibid vol. III. p. 147.

revenue could pass without advice of the council, (a necessary regulation when we regard the authenticated accounts of Richard's extravagance), such advice should not be given without the consent of the dukes of Guienne, York and Gloucester, and of the chancellor or of two of them. To the keeper of the Privy Seal together with such members of the council as might be present, was allotted the duty of examining the various petitions of less moment which should from time to time be presented by the people.

In 21 Richard II, we have an early precedent for the council interposing in ecclesiastical matters, and ordering general prayers and thanksgivings in all churches throughout the kingdom for the soul of the duke of Gloucester who had confessed and repented of his treason before his death. From the moment of the accession of Henry IV, the difficulties which surrounded the throne were immense, and with the exception of one short interval not long before the close of this reign, the title of the house of Lancaster can hardly be said to have been thoroughly acquiesced in, till the battle of Agincourt revived the glories of the two Edwards, and inspired a general satisfaction. The alienation of France in consequence of the death of Isabella's husband Richard II—Scotland for her own ends keeping alive the delusions respecting his hiding place; the rebellions of Glendower, Mortimer, and subsequently the Percies; the animosities of the Lollards and Churchmen, presented a stormy scene of politics to the occupant of a throne whose very title was with justice disputed. The object of Henry was to put himself forward as the champion of order—to make as it were the factions and institutions of the country find in his policy the security for their existence, whatever resentment they might harbour against him. Though Henry played his difficult game with consummate ability and tact, it was impossible but that under such circumstances the more liberal element of constitutional government should flourish and become established. We are not concerned with any of these, except so far as the greater regularity of the council's proceedings and the greater deference paid by the sovereign to its political influence, may have affected the general welfare of society. The limits of its judicial authority were now becoming as nearly ascertained, as the nature of the times would permit; its executive functions were also brought prominently forward and resolutely maintained. The registers of its proceedings disclose the manner in which it carried on the public business with regard to revenue, the internal government of the country, the management of foreign affairs, deciding upon petitions, and listening to disputes on questions of court etiquette.

The key to the position of the Privy Council at the commencement of this reign is to be found in their settled, growing reluctance to meet parliament for supplies\* if it could possibly be avoided. Several attainders had followed upon the recent successful usurpation of the throne and large estates had fallen to the crown. These together with the ordinary revenues of the kingdom afforded reasons ample enough to have justified the commons in inquiring into grievances and above all in raising the inconvenient question of the disposal of the public revenues. Whether this question, so far as regarded the forfeited estates, had become a personal one to any members of the Council or not, it is certain that a reluctance on their part to meet parliament was the cause of great disasters at the commencement of this reign, and was a sufficient pressure on their administration to prevent them from establishing any undue ascendancy. They commence together with the Lords spiritual and temporal, and therefore forming the Great Council, on the 9th of February 1400 with an agreement that the peers should grant the king an aid, and that letters of Privy Seal should be sent round to the abbots throughout the kingdom for that purpose. They apportion almost every expense of the king's household, arrange the outlay on the retinue and attendance of queen Isabel who was now leaving England; the public purse seems to have been entirely abandoned to them and it is impossible to charge them with either extortion or profusion.

In regard to the rebellion which broke out in North Wales Sir Henry Percy appears as the discontented general whose troops are ill paid, whose schemes are frustrated and whose engagements are broken—all which he directly charges upon the Council in no measured terms, in consequence of their having in modern phraseology starved the war. During the month of May† 1401 the council receive incessant complaints of the non-payment of moneys, at the commencement of June‡ he states his utter inability to bear with the expense any longer, and in a month afterwards§ he complains that the king had enjoined payment upon the Treasurer, that the Treasurer had promised payment if the Council consented, but that the Council had broken their promise. He then charges them with mal-administration and ignorance of the importance of keeping the marches

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\* Sir H. Nicolas Pref. to Rolls of Privy Council vol. i. p. xxxiii.

† Rolls I. p. 160.

‡ Rolls I. p. 152.

§ Rolls II. p. 57.

and adds that he has written to the king to refuse any further responsibility in the matter—those who withhold supplies must bear the blame.

The disgust of Sir Henry Percy is but the commencement of the Council's difficulties. Next year\* on the 3rd of February 1402 they appointed persons to superintend the payments to be made out of the subsidies granted to the king in the last Parliament. On the 15th of May the king wrote from Berkhamstead to the Council to express surprise that the marriage portion of his daughter the Princess Blanche had been withheld and to desire instant payment. The same month Richard of York demanded payment for his retinue whose term of service had expired, and who would disband unless paid.† The Prince of Wales also sent the same month from Shrewsbury demanding immediate supplies; ‡ no more favorable opportunity would occur for suppressing the rebellion, but his soldiers refused to remain unless they had their pay. Still the Council declined to summon Parliament, but they requested in the king's name loans from the bishops, abbots, priors, knights and others. The amount obtained did not remove the pressure of pecuniary difficulties. The earl of || Northumberland wrote on the 30 May 1403 that Ormeston castle in Scotland would be his own on the first of August—he has hostages for his security—unless it should previously be rescued by the French who were already making preparations for that object. On the 26th of June he followed up the application by a letter to the king charging the council with withholding payment against the royal command, and intimating that the honor and chivalrous renown of the kingdom required that the expedition should not be frustrated. A fortnight afterwards the king wrote to the Council § commanding payment for the retinue of the Prince of Wales, and a week afterwards he announces the rebellion of Sir Henry Percy. The irritation appears to have arisen quite as much, if not more, on account of the Council as of the king. There is a jealousy of the Council's power, a suspicion that poverty was not the only ground for withholding supplies; and when we consider the impolicy of exciting the enmity of the powerful house of Northumberland in the difficulties by which the Crown was

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\* Rolls I. p. 179.

† Vol. I. 187.

‡ II. 62.

§ II. 203.

|| II. 206.

beset, the 'sorry battle of Shrewsbury' must be regarded as the fault or misfortune of the Council's administration.

Other notices occur during this reign of the Council's fiscal regulations; on a subsidy being granted they appear to apportion the sums which shall be devoted for specific purposes,\* such as the garrison of Calais—the marches thereof—the king's household, wardrobe, &c.—the repayment of money which had been advanced to the king, and also 'to avoid the clamour of the people.'

At other times they borrowed money upon their own personal security the lords of the Council going down for that purpose to their respective counties, where they exercised local influence. The king does not seem to have retained during this reign much control over the public purse. In 6 Henry IV (May 31. 1405) he wrote to the Council commanding payment to the Prince of Wales as Warden of the Welsh Marches of all the money appointed for the safeguard of Wales. This brought within the fortnight from the Council an answer specifying the sums which they had raised—the purpose for which they had been expended—and the impossibility of complying with the commands of the king. Such were the exigences of the council and such the weakness of the executive with a contested title to the throne, that it was with the utmost reluctance that the ministers of the crown brought themselves to face Parliament and renew from time to time that huckstering over grievance and supply which was for a long time the safeguard of our constitutional liberties.

The administrative functions of the Privy Council were exercised to the utmost during nearly the whole of this reign. It seems that almost from the accession of Henry IV, the Council felt that in the extreme political confusion which ensued they must assume the whole direction of government.

Accordingly they brought the whole state of affairs under the consideration of the king with their advice as to the treatment of Richard, supposing him still alive—the necessity of a general pardon in some cases to prevent malicious prosecutions—of a proclamation in others empowering justices and sheriffs to imprison all offenders till information should be given to the king and council—of guarding the castles on the sea coast—of immediately assembling the navy, and of taking decisive steps to secure the due administration of justice. The Council also determined that a person should be appointed to report to the king the advice of the Council. It does not appear

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\* Rolls. vol I. p. 331. 11 Hen. IV. &c.

'whom they thought fit to entrust with this office although it was one which naturally conferred the highest distinction. Throughout the reign of Henry IV the Council appear to have regulated everything from the suppression of the rebellion of Hotspur down to the minutest arrangements respecting the retinue and property of Queen Isabel, the widow of the deposed sovereign. They order every general from the Prince of Wales downwards; they advise the king it is true, but their tone at times rises to commands. In 8 Henry IV, they undertook to reform the royal household, and they requested the king to remove after Christmas to some place where it would be most convenient, to make such ordinance for its governance as might tend to the pleasure of God and of the people.\*

With reference to the Council's rights of jurisdiction we may give the following instances. In the first year of this reign, December 1399, two petitions are the subjects of decisions by the Council one from a minor, son and heir of the Duke of Norfolk, praying that a sum should be allowed for his maintenance out of two lordships in Wales; the other from John Skelton praying that the Council would direct the treasurer and barons of the exchequer to account with him for wages due. In 8 Henry IV†, the Mayor and aldermen of London brought an accusation against several persons, of using unlawful nets and resisting the subconservator of the Thames and Medway. They pleaded guilty and were commanded to surrender their nets to the Mayor and replace them by others according to the standard of London. In 12 Hen. IV there is a clear indication of the tendency to adopt arbitrary proceedings on the part of the Council. A man named Edmond Liversegge had claimed the manor of Frome Braunche with the hundred of Frome in right of his wife. The Council ordered him to remove his wife and family out of the said manor and hundred within one month next ensuing, and not allow them to re-enter till next Easter; they further order him to attend daily at the Court of Chancery and not to depart without the permission of the Chancellor under penalty of 1000 marks.

In 13 Henry IV there is a letter from the king to the Chancellor in which, although the subject closely affected the state of foreign affairs, the Council is not once mentioned, commanding him to renew certain letters of marque granted to John de Waghen, who had been defrauded by two merchants of Leyden and Delf,

\* Rolls I. p. 1—10

† I. p. 298.



against the subjects of the Duke of Bavaria, Count of Holland and Zealand, justice not having been rendered by the said Duke. We find petitions sent up from all quarters; one especially from Ireland to the king and Council praying against all manner of eyres,\* and complaining of general misgovernment. The throne was generally the quarter to which petitions were addressed and they were returned with the answer 'le Roy ad granté, le Roy le voult', or that the king had referred them to the Council to do therein what the case required, or that the king had granted it with consent of the Council.

The minutes of the Council in the early part of the reign of Henry IV throw some light on the manner in which the criminal jurisdiction of the Council was extended and confirmed. In times of great civil commotion, as we have before observed, the law was not strong enough to vindicate itself. The common people became insolent (*fiers*), grand juries refused to present and it became necessary that, as in high quarters the example of rebellion had been set, so the re-establishment of order should be secured by the exertions of Government. Accordingly offenders were summoned before the king and Council, nor were they liberated again till their conduct had undergone an investigation by the ruling authorities. A proclamation was issued in which the justices and sheriffs were ordered to suppress riotous assemblies and imprison the offenders, until information should be given to the king and his Council. There are times in the history even of a people inured to free government and habits of self-control where the security of society requires that the rights to independent justice shall be temporarily dispensed with. It was thus that the direct criminal jurisdiction of the Privy Council acquired validity, and precedents for future violations of the great charter in its most essential clauses were originated and established.

One point of minor importance remains with which we may conclude our slight sketch of the varied subjects brought under the notice of the Council; a question of court etiquette. In 6 Henry IV two disputes on this subject arose, the earl of Warwick claiming precedence over the earl Marshal, and Lord Grey over Lord Beaumont which is said to be the earliest dispute of this nature between *barons*. They were decided in favour of lords Warwick and Grey, but in 3 Henry VI the earl Marshal again put forward his claim and the dispute was terminated by admitting him to the Dukedom as heir to his father.

\* II. p. 45.

† See note Sir H. Nicolas, Rolls II. p. 105.

• This was the range of the Council's authority as it was established at the accession of Henry IV. In the next reign, during which the sovereign was so often absent from the country, leaving the Council sole guardian of its honor and safety, that authority became more complete and consistent. Several instances occur of the council's arbitrary interference with the liberties of the subject. Some foreign merchants residing in London were offered the alternative of subscribing loans to the sovereign\* or of being committed to prison. They chose the latter and were released only on complying with the demands which were made on them. An individual case is presented in the fate of Sir Hugh Ansley who was committed by the Council† to the Fleet and his lands forfeited for remaining in England when he had engaged to serve in France.

In entering upon the reign of Henry VI, we must allude to the registry of the council's ordinances and proceedings known as the 'Book of the Council'. The MSS which formed the register consisted of several rolls of parchment and by some means or other became the property of Sir Robert Cotton and they now form two folio volumes in the Cottonian Library. The effect of their having been thus alienated from their original depository, however genuine and authentic they may be, is to destroy their value as legal evidence.‡ The records extend over the fourteen years between the 9 Henry V and 13 Henry VI, but from that time till nearly the end of Henry VIII's reign the registry is discontinued. The loss is supplied in some measure by original minutes taken during its meetings which have been preserved, extending from 15 Henry VI to 22 Henry VI—a few fragments only of 24 Henry VI remaining.§ There is also an important journal|| of the proceedings of the ambassadors who were sent to the marches of Calais to treat for peace with France, through the mediation of Cardinal Beaufort and the Duchess of Burgundy. From these sources the history of the Council is supplied, but from 35 Henry VI to 32 Henry VIII (1540) it is entirely lost. It would be impossible to follow out the history of this reign, as it is given to us in the records of the Privy council. The infancy of the sovereign, the insufficiency of his title

• Rolls vol. II. p. 165-6.

† p. 102.

‡ V. pref. v.

§ p. vii.

|| See Appendix V. 335. They were the Cardinal Beaufort, Duke of Norfolk, Earl of Oxford, and others, and the journal extends from 26 June 1438, to 10 October 1439.

still attracting public attention, the ambition of the dukes of Bedford and Gloucester, the military operations of the former in France, the rivalry of the latter with Cardinal Beaufort, and the manner in which such powerful and rival statesmen complicated our foreign relations, called forth the utmost energies of the council. They began by disputing the right of the Duke of Gloucester, who aspired to act as Protector of the realm, to open and dissolve Parliament without their consent. The duke yielding, Parliament appointed the duke of Bedford as Regent or Protector, though in his absence the duties were confided to the duke of Gloucester. These the Council undertook to limit and define. The Council were also entrusted by Parliament with the disposal of wards, marriages and farms belonging to the crown, and with the power of inquiring into livery. Next year an ordinance was made with the obvious intention of securing speedy and impartial justice. Every bill presented to the Council was to be read on the Wednesday and an answer given on the Friday. If the case was determinable at common law the Council were not to interfere except on the ground hallowed by the old precedents of the constitution 'of might on one side and unright on the other.' Every facility was afforded of suing *in forma pauperis*. The Clerk\* of the Council selected the poorest suitor's bill which was to be read and answered—one of the king's sergeants being sworn to give without fees his best assistance under pain of dismissal from office. Vigorous measures were adopted by the Council to prevent the Court of Rome from filling English bishoprics without the king's consent. It is impossible to read the records of the Council during the early years of Henry's reign without admiring the tact, resolution and sagacity with which the Council upheld the government. Home and foreign politics were both of the stormiest character, but whatever difficulty they experienced from the duke of Gloucester's rivalry with Cardinal Beaufort and disregard of themselves, they found ample support in the conduct and character of Bedford. That prince's influence was never exercised in obstructing the policy of the Council. The utmost harmony appeared to subsist between them. In answer to a message by them in consequence of the jealousy which they began to entertain of the two royal dukes, especially of Gloucester, interfering between them and the unfettered exercise of the delegated royal authority, Bedford answered that he would in all things be advised and ruled by them as submissively as the poorest subject and 'it afforded him the greatest

\* Rolls of Privy Council, vol. III p. 19.

• 'gladness that he ever felt in his heart to see the king in his tender age to have so substantial and so true a council.'\* The example had its effect upon Gloucester, but not until he had ejaculated 'let my brother govern as him lust while he is in this land, for after his going over into France, I will govern as me seemeth good.'

There are several instances scattered through the volumes of Sir Harris Nicolas, which disclose the relation of the Great Council to the Ordinary Council.† We select one which occurred in 7 Henry VI, when a Great Council was assembled at Westminster ‡ on the 15th of April. It seems to have been a deliberative and executive assembly, exercising authority under circumstances which the Privy Council deemed too important and critical for their unsupported decision. In the instance we select the difficulties, which appealed for their solution to the more authoritative voice of the Great Council, affected the dignity and power of the crown, the financial condition of the country and the conduct of its military operations. Every thing therefore, which the power of the purse eventually assigned to the commons in Parliament, the Privy Council originally referred if possible to the Great Council or the general assembly of lords, spiritual and temporal, whose twofold and sometimes threefold character as the members of these separate councils attests that marked preponderance of the aristocracy, which has so signally influenced the political and social system of England. The coronation of the king in France was the first subject of attention, a deficit in the council revenue to the extent of 20,000 marks was the second, and a third was the probable failure of the siege of Orleans by the earl of Salisbury in consequence of desertions, which the Council were now called upon to remedy by new contingents by land and by sea. There seems to have been some strong feeling at work in the public mind to prevent the Privy Council from assuming the whole authority of the executive in important business. This led during its double rule in France and England to the inconvenient and fatal mistake of neutralizing its influence by first establishing two separate boards in the two countries, and then rendering the consent of the whole body necessary in critical or important matters, thus paralyzing the hand of Government.§

\* Rolls of the Privy Council, vol. III. p. 39.

† Vide I pref. xxvii. and p. 102, xxviii. and p. 107 &c. &c.

‡ III pref. lxii. and p. 322.

§ Rolls of the Privy Council, vol. iv. pref. x.

Before we finally quit the subject of the Privy Council under the Henries we must revert to the subject of the parliamentary opposition which it encountered, and again call the statute book in evidence as to its general position in the public mind. Parliament and the country viewed its judicial authority and its encroachments with the utmost jealousy, and bitterly complained of its frequent interference with the due course of common law. The administration of equity involved a right to this interference, and originally vested in the king's council.\* The enactments which restrained it are public protests of the sanctity of the old laws and usages of the country. They are elements in the history of the long divorce between the courts of law and equity, and deserve the utmost attention in fixing the constitutional position of the Privy Council. We have appealed to the institutions of Saxon times to throw light on the position and influence of the sovereign's Privy Council. The various efforts made by Parliament to render it obedient to law, or in other words, to reduce it to its proper constitutional level were extended to govern if possible the nomination of its members, the rule of its proceedings, and the limits of its authority. The rolls of Parliament shew how large a share of public attention the council absorbed; and the expedients adopted, while they evince the resolution of the commons, shew also the difficulty of the struggle to which they were now committed.

The close of Edward III's reign is the point from which we digressed to review the executive functions of the council. From this stage in English history we may date the growth of parties and party spirit. The discord of Churchmen and Lollards and of the rival supporters of different nobles and popes, the jealousy between Edward's sons and their opposition to his successor were, both at the Council board and in Parliament, the constant source of struggle. The Commons were thereby roused and encouraged to secure to themselves a greater share of political influence, and besides improving the opportunity for the establishment of several constitutional principles, they constantly directed their efforts towards controlling the conduct of the Council. Viewing them as entrusted with the executive power and with a constant dread of their tendency to trespass beyond their proper bounds, Parliament interfered with minute, and as it would seem, vexatious regulations. Thus in 50 Edward III † 'considering the mischiefs of the land they shew to the king

\* Palgrave's *Essay on the authority of King's Council* sec 3, 4.

† Rot. Parl. ii. 322.

and the Lords of Parliament what would be for the honor of the king and for the advantage of the whole land, which is sore troubled in different manner by many adversities as well by the wars of France and Spain and Ireland as of Guienne and Bretagne and other places, and also that the officers who have been accustomed to surround the king are not sufficient for carrying on so responsible a government. Wherefore they pray the council of our Lord the king be restrained from transacting any important business without obtaining the consent and advice of all members who are to number ten or twelve in great matters, six or four in those of lesser import and according as the case requireth. They pray also that six or not less than four be continually sitting as the king's council. And our Lord the king considering the said request to be honorable and very profitable to him and to his realm consented to it. Provided always that the Chancellor, Treasurer and guardian of the Privy Seal and all other the king's officers shall be competent to do and perform the business which affects their offices without the presence of the said councillors. And it is ordained and agreed that such as shall be appointed councillors from time to time be held to guard this ordinance and to do right to each according to their powers. And further it is ordained that they take nothing of any one by promise or otherwise upon pain of forfeiting double of what they have received besides the costs and expences of the party aggrieved: and to our Lord the king they shall fine six times the amount which they have received. The cognizance and jurisdiction of anything shall be to the king and his sons, having taken to them six prelates and lords at the suit *de partie donante* and never before other persons nor in other manner; but if a man make a complaint and cannot prove his charge he shall incur the penalty ordained by statute 38 Edward III.\*

The next year\* they pray the young king who had just ascended the throne that it may please his Highness by the advice of all the Lords of Parliament until he should be of full age to understand the good and evil (men); to grant that all councillors and officers hereafter elected be made and provided by Parliament. This was a virtual transfer of the executive into the hands of the two houses and in common with similar attempts at other periods of our history obtained but a transient success. It was in times when the authority of the sovereign was weak that parliament put forward its pretensions to regulate appointments to his council. Thus we find a precedent for the present petition in

\* 1. Ric. 2. Rot. Parl. iii. 16.

5 Edward II c. 13\* where they had succeeded in obtaining as a part of statute law 'we do ordain that all evil councillors shall be put away and removed altogether so that neither they nor other such be near him nor retained in any office of the king, and other more fit people be put in their places.'

In tracing the efforts of the Commons to control the nomination of councillors and their continuance in office we are watching the early growth of the constitutional principle, now matured and definite, of the personal responsibility of ministers to Parliament. The ever changing politics of the moment dictated the course to be pursued, but the view of the English people to establish their freedom was constant. When prerogative was strained by the King personally, they were glad to find a counterpoise by supporting the authority of the Council. When prerogative was weakened by the incapacity of the sovereign, they endeavoured to secure a supervision and virtual supremacy over the person and acts of each individual councillor. Thus in 13 Richard II† on the 20th day of Jan. 1389 there is an entry which is itself sufficient to shew that during this feeble minority the Commons had not been idle. The Bishop of Winchester, Chancellor of England, and the Bishop of Saint David, Treasurer of England, and all the lords of the Great Council of the King, besides the Clerk of the Privy Seal prayed to our Lord the king to have consideration for the great travail and costs that they have continually had and suffered during the time that they have occupied the said offices and to discharge them accordingly, and find other good and sufficient men in their stead. And thereupon the chancellor surrendered the great seal, and the treasurer the keys of the treasury, to the king, and the king received them and discharged the said councillors from their offices. And he dismissed also the Lords of the Council. And when they were dismissed they prayed openly in Parliament that, if any one had aught to complain of them in respect of anything they had done during their tenure of office, he should directly shew it to the King in Parliament; thereupon the Commons prayed for time to consider and then, being questioned by the Duke of Lancaster at the command of the King, said plainly that they had diligently enquired and conferred together of the said matter and that they neither knew of nor could find any cause of complaint against them or to say anything against them, but that it seemed to them that they had done very well and deserved very great

\* See Stat. of the Realm.

† Rot. Parl. iii. 258.

• gratitude for their services in the said offices, and thereupon they thanked them greatly in full Parliament. And besides, the prelates and lords of Parliament when questioned by the King said—they knew nothing but good of them; and that they had well and duly done in their said offices. And immediately after our Lord the King said openly—‘that the said officers and councillors had well done in their said offices, and he held them ‘good, and loyal.’ Thus the Ministers of that time received an abundant measure of Parliamentary approbation, but the necessity of bringing their conduct publicly forward was proof of their temporary depression. Whatever may have been the real motives on either side, it is clear that the Commons were not so entirely satisfied as would appear by the entry which we have quoted; for in the same year (13 Richard II) and a little further on in the Rolls\* we find one of their numerous complaints of arbitrary interference with the common law. ‘The Commons pray that neither the Chancellor nor the King’s Council after parliament is prorogued may make any ordinance contrary to the common law and ancient customs of the land and the statutes and that no judgment be reversed without process of law.’

The King answered—‘Let it be as it has been hitherto, so that the Regality of the King be saved, and if any think himself aggrieved let him shew it specially, and right shall be done him.’

The Commons also† pray that neither at any man’s suit nor suggestion shall the King’s lieges be made to come by writ ‘quibusdam de certis’, nor by any other such writ before the Chancellor or King’s Council, to answer in any manner for any thing of which recovery may be had by common law or otherwise by statute, upon pain of the Chancellor’s forfeiting £100 to the King, and the clerk who shall write the writ shall lose his office in Chancery without ever being restored to it.

Richard replied that he would preserve his royal rights as his progenitors had done before him. These answers evince a sufficiently arbitrary spirit and throw some suspicion on the prodigious hurry with which the Council had this very year challenged the criticism of both houses of Parliament.

We have before alluded to the extreme jealousy with which Parliament regarded the judicial encroachments of the Council, and may therefore now content ourselves with only quoting one more entry at least of this reign. In 2 Richard II there is

\* Rot. Parl. iii. 286.

† Rot. Parl. iii. 267.



another proof of the aversion of the Commons to any compulsory process issuing out of the Court of Chancery or the Council.

It must be admitted that their patience ~~was~~ being tried to the utmost. It was during this reign, as we learn from an entry in the Rolls of Parliament of 9 Henry V, that John de Waltham, Master of the Rolls, invented the clause of 'hoc sub pœnâ centum librarum nullatenus omittas' to be added to the writ of 'quibusdam certis de causis.' It is difficult to exaggerate the indignation of the Commons and the abhorrence with which the name of the inventors came to be regarded. Yet in reality there was no great hardship inflicted. The fine was, according to Mr. Hallam, rarely enforced; if the party did not put in his appearance, he was brought into contempt and could be subjected to arrest as at present. But the Commons petitioned\* that no writ issue out of Chancery, nor secret letters of Privy Seal directing any one to be brought before the King's Council or elsewhere to answer for his freehold or anything appertaining to the same as has been ordained hitherto; but according to the common law of the land allowed to take its proper course.

Soon† after the accession of Henry the VI. the Commons prayed that all writs or letters of Privy Seal of our Lord the King directed to different lieges of the King to appear before our Lord the King in his Council or in his Chancery or in his Exchequer, under certain penalty specified in them be entirely for time to come disused, and that every subject of the King be treated according to the rightful laws of the land anciently in use. Let no such writ (so ran the answer to the petition) be made except in case it appears necessary, and that at the discretion of Chancellor or Council of the King for the time being.

In 8 Henry IV ‡ the Commons drew up a list of regulations for the observance of the council which occupies several pages of the rolls. First, they entreated the king to name six councillors pleasing to God and agreeable to the people, to consult with them and retain them till the next parliament and always govern by their advice. They also endeavoured to guard against court intrigue by warning the king not to believe ill of one councillor at the suggestion of another, but to require proof failing which the accuser should be punished as an example to others. With regard to complaints carried up to the king, they were to be referred to the Council and by them to be determined by common law, if

\* 2 Ric. II vid Rot. Parl. iii. 445.

† 2 Hen. IV vid Rot. Parl. iii. 471.

‡ Rot. Parl. iii. 585-9.

\*<sup>50</sup> determinable. Pains and penalties were prescribed against any one, man or woman, who should abuse his influence for his own private advantage or interest. Thirdly, that the King should give to his council full authority and governance over his house and chambers and wardrobe and all other places and offices which absorbed the revenues of the kingdom. Fourthly, no one should receive gifts of the King until the next Parliament, on pain of forfeiting double their value. Fifthly, two days in the week were to be set apart for the petitions of the people, and a heavy penalty was enacted against those who procured any petition to be carried up on any other day—all to be decided by the advice of the Council. Sixthly, that the King command his council not to procure any matter to be brought before them determinable at common law, except for reasonable cause and by the advice of the Judges.

During the reign of Henry V. we find few entries on the Rolls having special reference to the Council. The mind of the nation was absorbed in the French war, and the revival of the glories which Crecy and Poitiers had thrown round the generation of their fathers. It was in this reign that the Commons again so far resigned their principles as to settle revenues on the King for life. Still, however, there is a renewal of Parliamentary protest against the Privy Council extending their extraordinary jurisdiction over cases, which properly fell beneath the cognizance of the Courts of Common Law.\* The death of Henry V. and the accession of his infant heir, placed the Council once more prominently before the eyes of the nation and rendered it the centre of politics, action, and intrigue.

The Duke of Gloucester was in the kingdom and at the moment was chief of the Royal house. At no period of his life did this Prince manifest the tact, influence, and patriotism which marked the character and conduct of Bedford. Constantly intriguing at home and abroad, defiant to Parliament and of a temper the reverse of conciliatory, he was incapable of wielding any serious influence over the rival interests which strove round the throne of an infant. In the first year of this reign, a Petition† was carried up to the Duke of Gloucester relative to the

\* Rot. Parl. iv. 189.

† 3 Henry V. vid: *Rolls of Parliament* IV. 81, vid: also *Palgrave's Essay* p. 48. It is from this entry that we learn that John of Waltham, Master of the Rolls, invented the subpoena—all the evils resulting from the process are set out at length and as a remedy it was proposed that any person harassed by the writ in a matter determinable at common law should have an action for damages £10 against the person suing out the writ. In 9 Henry V. there are entries of similar complaints equally fruitless.

mode of procedure before the Council. To the most honorable and puissant Prince Humphrey Duke of Gloucester, Commissioner of our Sovereign Lord the King to hold this parliament, the poor Commons of England assembled together pray that it may please your gracious worship with the assent of the lords spiritual and temporal, for the support and comfort of the said Commons to grant the following petitions.

That it be ordained by statute in this present Parliament, that no man nor woman and subjects of our Lord henceforth be taken, put or held to answer before the Council or Chancery of our said Lord the King, nor elsewhere at the suit or complaint of any person of any matter of which remedy or action is provided or done at the common Law; and that at no writ or letter of Privy Seal called writ or letter of Subpœna of our said Lord the King or of his heirs for time to come shall issue against any one at any time: to appear in the said Council, Chancery or elsewhere at the complaint or suggestion of any one, before that the complainant puts in a bill containing the whole matter of the complaint and grievance, such bill to be specially examined and approved by two justices of either bench, who shall certify that the complainant cannot have remedy or action at common law.

After certain technical regulations, the petition proceeds to specify a fine of £20 to be paid by the plaintiff, half to the King and half to the defendant, if he failed to prove his grievance. The Court was to have power to award damages to the defendant for his costs, labour and vexation. And if any writ or letter of Privy Seal shall issue to the contrary, it shall be void and of none effect. To this Petition the King gave an evasive reply, and referring to the Statute 17 Richard II. ordered that it should be put in due execution.

In 10 Henry\* VI the Commons prayed that no person of whatever estate or condition may be for time to come at the suit of the King or of any one else taken or put to be examined in Parliament of any matter or thing touching his freehold or inheritance in any case. To this it was replied in words rarely heard at the present day '*Le Roi s'avisera.*' The Act of 31 Henry VI c. 2 indicates the growing insecurity of justice and the tendency of events to throw into the hands of the Council greater judicial power. 'If any writ or letters of Privy Seal be directed to any person to appear before him as aforesaid, unless he keeps the day of appearance therein stated, the Chancellor

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\* Rot. Parl. vol. iv. p. 403.

'shall have authority to issue a writ to the Sheriff of the county where the offender resides to make proclamation for him. In case of default within a month, a Peer shall forfeit all offices, fees, annuities, and other possessions. The Chancellor would then issue another writ, and in case of default, he shall lose his name and estate of lord—all forfeitures, however, to be for the life of the offender only. Any other person shall suffer a penalty at the discretion of the two Chief Justices. But it was even now carefully provided that the Council should have cognizance of nothing determinable at Common Law.'

The various entries which we have selected may suffice to shew the temper of the Commons with respect to the Council's jurisdiction, and their jealousy in favor of the common law; and, on the other hand, it is easy to detect the inadequacy of the ordinary tribunals and the necessity of some supreme judicature. Down to the middle of the fifteenth century the difficulty increased till it was lost in a great social disturbance. The civil wars which then sprung up and raged with so much violence for a quarter of a century, have obliterated all traces of the Constitution and functions of the Council during that period. The 'Book of the Council' was discontinued from the 13 Hen VI, nor was it again commenced till late in the reign of Henry VIII.\* From Edward IV to Henry VII. nothing whatever is known of its proceedings;† and the re-appointment of a clerk to register its acts and decrees leads to the inference that all formal entry of them had previously been discontinued. The wars of the Roses form a blank in English History, which separates the rigours of aristocratical influence from the tyranny of regal power: and whatever may have been the social inequality and oppression of the former, they were insignificant evils compared with the judicial persecutions and arbitrary spirit of the house of Tudor.

The well-known Act of 3. Henry VII c. 1. is of especial importance in tracing the history of the King's Council. The abuses and crimes of the Court of Star Chamber, which have rendered the name infamous in English history, have thrown back in some respects an unmerited but not unnatural odium upon the Statute which confirmed and enlarged the jurisdiction of the Council. The Council sitting in the Starred Chamber was a name well-known from the time of Edward III and associated with the trial of criminal cases, as the Whitechamber was with the trial of civil.

\* 32 Henry viii.

† Sir H. Nicolai pref. to *Rolls of Privy Council* vol. vii. p. iii. vid: also *Palgrave Essay on King's Council*.

This enactment is intituled 'an Act giving the Court of Star Chamber authority to punish divers misdemeanours' which it immediately proceeds to enumerate. It was a rapid stride towards centralization, and denotes the anxiety of Government to bring its own vigilance and authority to bear directly on the maintenance of public peace—a necessary step during the demoralization consequent on the wars of the Roses. Unlawful maintenance, the giving of signs and liveries, the 'outrage demeaning of Shrevys in making of panell and other outrecol returns', the taking of money by juries, the prevalence of riots and unlawful assemblies, were the evils which the Statute avowedly sought to redress. They bore witness to widespread social disorders, whereby in the words of the Act 'the polacye and good rule of this realme is almost subdued,' and as nothing was found by inquiry\* the result was that the 'Lawes of the land take litell effecte' to the encouragement of murders, robberies, perjuries and the general insecurity of life and goods. The Act therefore proceeded to give the Chancellor and Treasurer for the time being and the keeper of the King's Privy Seal, or two of them, calling to them a Bishop and a temporal Lord of the King's most honorable Council, and the two Chief Justices of the Courts of King's Bench and Common Pleas, or two other justices in their absence, upon Bill or information put to the said Chancellor for the King or any other, against any person for any misbehaving afore rehearsed, authority to call before them by writ or privy seal the said misdoers and then and other at their discretion to whom the truth may be known; and such as they found therein defective to punish them after their demerit after the form and effects of the Statutes passed for that purpose in like manner as they should and ought to be punished if they were thereof convicted after the due order of law. It will hardly be denied that this discloses a state of things which called for the summary interference of the strong arm of Government. That Parliament was sincere in its endeavour to repress these disorders is clear from their immediately following up this Act by another, which after enumerating the murders which were now of common occurrence, proceeded to enforce the duties of Coroners, to compel them to hold inquests on pain of being fined, and to amercé the townships for the escape of the offender. The enlarged jurisdiction of the Council arose from the disturbances of the period, and as it acquired greater stability from lapse of time, the Court of Star Chamber which now engrossed a wide

\* Kennett's History of England, vol i. p. 594.

- \* sphere of criminal jurisdiction was separated off from the Privy Council.

We may here quote the opinion of Lord Bacon\* on the authority of the Star Chamber which he says 'before subsisted by the ancient common laws of the realm and was confirmed in certain cases by the Act of Parliament. This court is one of the safest and noblest institutions of this kingdom. For in the distribution of courts of ordinary justice, there was reserved to Chancery the prætorian power for mitigating the rigour of Law in cases of extremity by the conscience of a good man; there was nevertheless always reserved a high and pre-eminent power to the King's Council in causes that might in example or consequence concern the State of the Commonwealth which if they were criminal, the Council used to sit in the chamber called the Star Chamber, if civil in the Whitechamber, or Whitehall, and as the Chancery had the prætorian power of equity, so the Star Chamber had the censorian power for offences under the degree of capital. This court of Star Chamber is compounded of good elements, for it consisteth of four kinds of persons—councillors, peers, prelates, and chief judges. It discerneth also principally of four kinds of causes—forces, frauds, crimes of various stellionate, and the inchoations of middle acts towards crimes capital. But that which was principally aimed at by this Act was force and the two chief supports of force, combinations of multitude, or maintenance and headship of great persons.'

We have thus arrived at the era of the Council's greatest Parliamentary triumphs, which had been chiefly facilitated by the recent growth of social and political disorders, but at the same time did not contradict the tendency of its whole career. Its constant struggles for supremacy encouraged by the precedents of its early history, and the consciousness of wielding the power of the executive are the subjects of many leading dramas in our constitutional history. The question has been started whether Parliament was the aggressive party, or whether the Council was encroaching beyond limits which had been already assigned to it. It is not without its importance as a question nearly allied to the alternative between a free or an arbitrary original of our institutions. We have shewn that under the Saxon dynasties the independence of self-government was carried to the extreme of almost political disavowance. And when the Norman conquest, together with its peculiar phase of the feudal system, introduced a greater tendency to centralization and extended the powers of the *consilium ordinarium*, institutions grew out of it, whose

\* Kennett's History of England, vol. i. p. 594.

interest and unceasing resolution, were to assert their independence and the supremacy of common law. The Privy Council so analogous in its constitution to its predecessor the *consilium ordinarium* found in its own bosom, and in the course of events ample temptation and opportunity to press into its service the traditions which properly belonged to its predecessor, but which did not accord with the state of legal institutions in which it had found its own origin and existence. The introduction of the study of civil law into Oxford by Vacarius under Stephen, and the extensive influence of Ecclesiastical and legatine power in England under Henry III. may have led to the growth of what is now called equitable jurisdiction, but which then meant an interference with the course of those laws which the English people were unwilling to change. Although the exercise of this jurisdiction when compared with the atrocities of the Star Chamber brought with it little hardship, it jarred on another feeling which thus early was working in the national mind, and eventually burst forth with a vehemence which has not yet completely subsided. This was a feeling of hostility to every thing Roman which in Edward III.'s time encouraged by the Papal schism enabled the Sovereign to throw off the last remaining badge of political subjection, and at a later date, produced the Reformation. The same well-balanced system which has secured both Church and State from the triumph of a party, has in our laws and legal institutions established the simultaneous if not always harmonious operation of the civil code and the common law. The struggle between them has been severe, and the position of the Council was in opposition to the general sentiment then embodied in the cry still so familiar to ourselves '*nolumus leges Angliæ mutari.*'

But at the same time that the influence of national feeling and of established institutions had already set in a sort of under current against a tribunal, which tried by the strict interpretation of Statute was within the terms of the Great Charter, the rise of the third estate was introducing a still greater power. The more distinct nationality, which becomes visible at this period, was the sign of more settled equilibrium, and it very shortly became apparent that the pretensions of the Council were not altogether in harmony with the prerogative of Parliament. Parliament succeeded to the powers originally exercised by the Witenagemote. It was the grand inquest of the nation—judicially and politically. The representatives of the boroughs and counties were simply vindicating their old judicial and political independence when they claimed successively in the Great Council of the nation a control over the executive, the initiative in

legislation, and a voice in judicial proceedings. Thus its progress tended to define the power of the council in both its administrative and judicial capacities. The decisions of the council acquired infinitely greater weight when delivered in the High Court of Parliament than they possessed when given, as frequently occurred, in pursuance of its delegated authority. And although the limits, which statute imposed upon its exercise of jurisdiction, were gradual and in proportion to the growing capacity of the Commons, still those enactments, if the early spirit of the constitution can be defined by statute law, shew that that authority was not engrafted on it till the energy of constitutional liberty had drooped and society itself had lost its vigour. Trial by Jury had become the pollution instead of the safeguard of justice, and amidst the constant corruption and intimidation of jurors, special commissions to inquire into offences had been constantly\* issued and necessarily armed with dangerous powers. The growing insecurity of the public must be accepted as the proximate cause of the establishment of the Star Chamber; and the high character which it at first maintained is the best argument against the charge of designing policy, which its subsequent history suggested against the extension of its power.

The real character of the Act of 3 Henry VII c. 1, as distinguished from its causes and results must be tried by reference to the principles which were successfully asserted in the Revolution of 1399. As a basis of constitutional settlement, the accession of Henry IV was almost equally important with that of William III. Though most of our present guarantees for free government are traceable to the time when the Plantagenets sat upon the throne, it cannot be denied that under their vigorous rule, there had been a strong tendency to centralize the power of Government in the hands of King and Council. In theory we know that this was otherwise. The Great Council and Parliament were both of them entrusted with the highest functions. But when the nobles were dependent for the exercise of their high privileges on royal selection, when no tenant by barony could enforce his right to a writ of summons and when those who attended possessed the double qualification of members of the Council and Peers of Parliament, the separate jurisdiction of the House of Lords could not become established as independent and supreme. The deposition of Richard II was the result of an aristocratical combination and gave to the political rights of the Upper House a more definite character. The immediate conse-

\* Especially under the three Edwards.



quence of this was a fresh limitation upon the judicial powers of the government. The appellate jurisdiction of Parliament, once recognized as independent and as final, drew after it important consequences. The Commons so powerful under the Lancastrian kings were not easily to be debarred from their share in an influence so extensive, to which too they were entitled in accordance with the early spirit of the constitution. The separate functions of the two houses, the right of the one to petition, and the privilege of the other to render its assent necessary, marked out to each its peculiar share in the administration of justice. But it is impossible to mistake the new spirit and vigour which this silent acquisition threw into the proceedings of Parliament. The Commons, who in Edward III's time had shrunk as the poor mean incapable citizens from offering any advice in the conduct of affairs, now aspired to direct and control them as the faithful and discreet monitors of Government. It was this spirit which, brought to bear upon the Privy Council, effectually set limits to its jurisdiction, till in the desolation of civil war the whole balance of authority was for a time destroyed. The erection of the Star Chamber, or rather the extension of its authority by Act 3 Henry VII was in the nature of a reactionary movement against the more feudal principle which regarded the House of Lords as the supreme judicial tribunal. Nor were the maxims of the Tudor Government likely to retard the progress of this movement, while the long intermission of Parliaments during the reigns of Henry VIII and Elizabeth favoured the transfer of its powers to the Committee of the Privy Council which sat in the Starred Chamber. The Privy Council, so to speak, stole a march on the constitution, as it is impossible to justify its position by reference to its original history. The *consilium in consilio* on which Sir M. Hale insists had vanished; the Council had established its independence, and notwithstanding all the opposition it had experienced under the Lancastrian kings, it had finally triumphed over the House of Lords.

Still however Parliament succeeded in preserving one department of its jurisdiction from all encroachments of the Privy Council viz. the adjudication\* of Writs of Error from the courts of law at Westminster; for the 27 Elizabeth c. 8. established the court of Exchequer Chamber on the express ground that such writs were determinable in the High Court of Parliament only, but that from the frequent intermission of its sittings, the

\* Macqueen's Practice House of Lords and Privy Council, p. 668—686.

'Queen's subjects had been greatly delayed and hindered of justice. The Council however drew into its own hands and never afterwards lost the exclusive adjudication of appeals from foreign and colonial dependencies of the crown and from the Channel Islands. It appears that appeals were first granted from Jersey in Henry the VIII's reign, and the records of the Privy Council of 18th May 1572 present the first instance of the exercise of this jurisdiction.

The decline of the vast political influence once exercised by the peerage—and exercised we may remember with a patriotism and sagacity which have to this day given to the aristocracy a firm hold on the national mind—had been apparent long before its effect was seen in the rise of the Star Chamber and in the Statute of Fines of 4 Henry VII. In Edward IV's reign we must infer that the appellate jurisdiction of the House of Lords was practically in abeyance, since they allowed the famous decision of the judges in *Taltarum's* case, which eventually destroyed the immunity of the nobility from forfeiture of their estates for treason, by rendering a fictitious process of law a bar upon all claims under the entail. It is impossible to believe that the peers would have failed to reverse this decision of the court below, if they had retained their former power. The Statute of Fines gave the sanction of the legislature to this bold innovation of the judges, by establishing a kindred process, and weakened still further the exclusive grasp of the aristocracy upon the landed property of the kingdom. Other Statutes\* followed with a similar result; the ultimate effect of which was undoubtedly favorable to liberty, though at first the decay of aristocratic influence enhanced the prerogative of the sovereign. It is curious to observe the popular jealousy for the rights of the peerage which followed as soon as royal authority seemed to establish itself on its ruins. One of the grievances sent up to Henry VIII by some insurgents of Yorkshire was that the Privy Council was then formed† of persons of humble birth, while at the commencement of the reign there was a large proportion of nobility. Henry did not attempt to turn the charge to his own account, but immediately proceeded to plead a denial of both allegations of the complainants. 'Of the temporality

\* e. g. 26 Henry VIII. c. 13 declared lands held in fee-tail to be liable to forfeiture for treason. 32 Henry VIII. c. 36 placed upon 4 Henry VII. c. 24, a construction which the judges had till then hesitated to put upon it viz. that a fine duly levied by the tenant in tail was an absolute bar upon him and his heirs.

† This was in 1536 vid Sir H. Nicolas *Rolls of Privy Council*, vol. vii. Preface.

there were at our accession but two worthy calling noble, the one Treasurer of England, the other High Steward of our house: others as the Lords Marney and Darcy but scant well-born gentlemen, and yet of no great lands till they were promoted by us, and so made knights and lords: the rest were lawyers and priests save two bishops, which were Canterbury and Winchester.' Henry proceeded to shew that there were at the time he was speaking 'many nobles indeed both of birth and condition' in the Council, as the Dukes of Norfolk and Suffolk, Marquis of Exeter, Earls of Oxford and Sussex, and 'that it appertaineth nothing to any of our subjects to appoint us our Council, nor will we take it so at your hands: wherefore henceforth remember better the duties of subjects to your King and Sovereign Lord, and meddle no more of those nor such like things as ye have nothing to do in.' The insurgents therefore did not gain much by their remonstrance, but it displays the idea which was working in the mind of the country. The Commons seemed to be alive to the fact that in the decay of that class feeling which had so long distinguished the feudal nobility of England from the barons of continental Europe, they had lost their securest shelter from the oppressiveness of regal power.

We cannot attempt anything more than a very hasty sketch of the rapid growth of arbitrary power under the Tudors, and of the reaction against it under the Stuarts: nor is it important to do so since under those dynasties, at least till the Restoration, the Council occupied a very forced and unconstitutional position. We must, however, recur to the Act of 3 Henry VII c. 1 to discuss the constitution of the court which it created—a subject almost as complex as the early history of the Council itself. If we bear in mind the distinction between the *consilium ordinarium*, and the Privy Council viz., that the latter was simply an executive committee, while in the former were originally vested all the different functions of public authority, we may understand that this tribunal which we call the court of the Star Chamber, though at first strictly and legally distinct from it, and erected for a specific purpose in times of great turbulence and disorder, had little in common with the proper character of the Privy Council. It was a judicial committee exercising criminal jurisdiction, and following as we have already said, the precedents of Edward III's reign, and like the courts of law and equity it could more properly deduce its parentage from the *consilium ordinarium* than from the Privy Council. We have already traced the Privy Council confident in its powers, and presuming upon circumstances usurping, on account of its

\* resemblance to the *consilium ordinarium*, authority which properly it did not inherit. We have seen that the Council's authority, like that of every other institution, had been obscured by the civil wars, and we have seen that the jurisdiction of the House of Lords had fallen into disuse from the intrinsic decay of the peerage. With the accession of a new dynasty a statutory recognition for purposes of public security was given to the judicial power of the old court which sat in the Starred Chamber. It engrafted it on the constitution, supplied it with definite powers, and imposed upon it responsible duties; but though its members were or might have been privy councillors, it was distinct from the body of the Council. For the next thirty years the Privy Council apparently acted over again its old systematic usurpation of judicial power. The first result was that the Act of 21 Henry VIII c. 20 added the president of the council to the judges of this court, who thus formed the connecting link between them, as the chancellor in previous times had connected the Council and the Court of Chancery. The gradual devolving of its power upon the whole body of the Council seems to have been the silent operation of Henry VIIIth's reign, and may very fairly be attributed to his personal influence and that of his minister Cardinal Wolsey. From that period ensued the crimes and tyranny which have rendered the name of Star Chamber odious in history. Yet its career was by no means singular or inexplicable. Shorn of its natural leaders, and decimated for many a long year by civil and religious strife, the English people had staggered in their race for liberty and had resigned in a moment of depression their inheritance of independent justice. The weakness of the courts of law, and the ignorance, intimidation or corruption of juries formed the ostensible excuse; but just as degenerate nations have found their persecutors in those whom they have invited as their protectors, so the experience of the sixteenth century was that private rights and social order have no security in the absence of public spirit.

We may notice, in passing, the Court of Requests, also a committee of the Privy Council, which has been entitled the poor man's court of equity; notwithstanding its encouragement of the use of torture and the rack. It is said to have taken its origin from an ordinance of 13 Ric. II: its process was issued under the Privy Seal: and it met its fate at the hands of the Judges of the Queen's Bench, who in the 41 Eliz. came to the decision that it was no court which had jurisdiction and that all its proceedings were *coram non judice*.

Turning from the judicial history of the Privy Council, we find

that its executive functions had undergone no material change. The greater part of its members\* were still supposed to be in constant attendance at court, following the person of the King. They consisted of the great officers of the household, a Bishop and one of the principal secretaries. While, however, one body of the council was absent with the king, a board sat for the transaction of business in London consisting of the ex-Chancellor, the Archbishop of Canterbury, the Principal Secretary, and a few other great personages of state. The Privy Council exercised all the functions which now belong to the cabinet, but were practically responsible only to the sovereign. Henry VIII was undoubtedly his own chief Minister, and his personal energy and overbearing conduct abrogated for a while the principle of Ministerial responsibility which at one time had been completely established.

The two greatest encroachments of the council on the rights of Parliament were the levying of taxes and the substitution of proclamations for statutes properly enacted by the three estates of the realm. The former did not till the time of the Stuarts reach extravagant limits, for however careless the English people then were of private wrongs, the voice of the country was often heard in support of general privilege. But the Act of 31 Hen. VIII. c. 8, following close upon a statute† which enabled the sovereign of his own personal authority to repeal any enactment made during his reign before he attained to the age of twenty four years, was a serious innovation upon constitutional precedents. It enacted that the king and council might issue proclamations under penalty of fine and imprisonment, and that these proclamations should be equally binding on the subject with Acts of Parliament. The limitations made to this authority in favor of the subject's inheritance, offices, liberties, and goods, and also in favor of the established laws prove that the spirit of *Magna Charta* was not extinct, and the council's wish for the sanction of Parliament to its conduct was a tribute to the influence which it still retained.

Prerogative thus strained was not long before it felt some reaction. Under Edward VI and Mary it had evidently receded. Bills were frequently rejected which had passed the Upper House, and it now became an important part of the ministerial policy to influence the conduct of the different institutions in the choice of their representatives. Still however although this deference

\* Sir H. Nicolas *Rolls of the Privy Council*, vol. vii. pref. ix.

† 28 Hen. VIII. c. 17.

was paid to the influence of Parliament, the power which the Acts of 3 Hen. VII and 31 Hen. VIII gave the council over the liberties of the people was gaining a deeper root. Arbitrary commitment to prison had been denounced as unconstitutional from Magna Charta downwards. The right of the subject to the unfettered control over his person and acts was, however indisputable, no doubt difficult at all times to maintain. But under Henry VIII there was a Parliamentary abandonment of the principle. Commitments even by a single councillor came to be frequent,\* and personal freedom had no security against the oppression of a minister. The judges who under the Plantagenets had won a lasting renown as the champions of liberty and the public interest, now stood in the breach to defend the stronghold of the English constitution. Their remembrance is preserved in the British Museum—a noble memorial of the fearlessness of their conduct; and from that time the principle that no subject of the sovereign can be imprisoned except by due course of law must have been beyond all contradiction, however much it may have been practically set at nought. The Habeas Corpus Act has rendered this immunity of the subject a chartered right—as indisputable as the principle of self-taxation. The question was unexpectedly opened up in the House of Lords on the night† of the 20th April 1831, but in a form so modified, that considering the excitement of the time, it is the best homage to the sacredness of the principle in the eyes of the legislature. In discussing a question of breach of privilege, Lord Chief Justice Tenterden gave expression to the opinion, that the two Houses of Parliament equally with the courts of law at Westminster, possessed the power of fine and imprisonment, and were invested with it to ensure the reverence which was due to the legislative council as well as to the tribunals of justice. The doctrine that Parliament as a legislative council possessed this power drew from Lord Chancellor Brougham a vehement disclaimer—‘for the character of parliament, for the sake of the country, and out of kindness to his friend he wished to set him right on a point of so much importance, and then give him an opportunity of explaining himself since he had invested the House of Commons with a power which the stoutest friend of parliamentary privilege had never before ventured to arrogate to the Common’s House of Parliament.’ Lord Brougham subsequently laid it down that the House of Commons has the power of

\* Hallam’s Constitutional Hist. i. p. 234.

† Hansard’s Parl. Debates 3. s. vol. iii. c. 1714.

‡ c. 1718.

commitment, but not for any certain time: they have the power to commit as a means of removing an obstruction; but the confinement of the person so committed can last no longer than the end of the session. The House of Lords, on the other hand, being a court of justice—a court of record—and even the highest court of justice, is said to have the power of committing for a time certain and of fining: but that power has been disputed by many sound lawyers, though affirmed by the King's Bench.

The effect of the Reformation on the spirit of liberty was not at first very deep. There was but little of popular passion in that movement. At first it was a political scheme, and then an intellectual success. But the idea which seemed most prominently to possess society during the last years of the Tudor reign and under the Stuarts, was that of the paramount power inherent in the abstract sovereignty of a King. Political events had favored its development, and the title of 'Defender of the Faith' gave a sort of papal supremacy to the crown. The church tasked its utmost energies to force its growth in the public mind. The doctrine of the divine right of Kings was her contribution to the imperial armoury. With this principle of submissiveness on its lips society was impelled by its own instinct, and by the silent influence of the Reformation on people's minds to disown it in its heart; but at the same time, had it not been for the excesses of the Stuart family, the recoil might have been long delayed.

The issuing of illegal proclamations by the Council under James I. was carried to a great extent. One\* ordered all country gentlemen to leave London and return to their country houses, and there maintain hospitality on pain of condign punishment—others prohibited any building to be carried on within two miles of London, and like other prohibitions of a similar nature was apparently resorted to for the purpose of raising money by selling dispensations. Lord Coke had set his face against these proceedings, and also against the illegal solicitation of loans from the subject; but though uncompromising in general, the Chief Justice in this instance retracted an expressed opinion. Tenacious of the dignity of his office, and firmly attached to the liberty of the subject, he had often braved the displeasure of the Court, and at one time committed himself to a personal struggle with the Chancellor, and vigorously disputed his appellate jurisdiction after judgment at law.† Coke prosecuted the solicitors and counsel who had filed the bill in appeal from his judgment,

\* Hall. Const. Hist. vol. i. p. 337 note.

† Hallam. Const. Hist. vol. i. p. 345.

the King directed that those who preferred the indictments should themselves be prosecuted in the Star Chamber.

This Star Chamber had at this time become the scene of unblushing tyranny and oppression. The private expression of opinion, the slightest opposition to the Council's measure of orthodox belief, and even a refusal of a witness to inculcate herself by her own evidence\* were sufficient to call down the severest penalties. The Judges of the Star Chamber, like the barons of the Norman conquest, were inspired with an insatiable ravening for plunder, of which in these times we can hardly conceive. The addition of torture and the rack, though used comparatively with other countries, according to Lord Burleigh's benevolent proviso, 'as charitably as such a thing may,' rendered this institution at length intolerable. The struggles respecting the authority of the Council, which had slumbered beneath the vigorous prerogative of the Tudors, were again awakened, and at length the Act of 16 Car I. c. 10 abolished the Star Chamber and the whole of its cognate jurisdiction: and the civil jurisdiction of the Privy Council was declared to be a usurpation contrary to the laws of the land—a proposition, like many others made by both parties during this famous struggle, eminently unconstitutional, since though technically and historically correct, it violated four centuries of established right. We may trace the civil war quite as much to the terror and indignation of the country at the cruelty of this institution—a cruelty not peculiar by any means to the reign of Charles I.—as we are accustomed to do to the extortion of ship-money and benevolences. The principle of self-taxation was selected as the grievance of the Commons, for no principle has been so powerful on English sympathies or has commanded such universal assent. Yet in the excesses of the Restoration, the Star Chamber and the High Commission were not renewed—the strong hatred with which they were regarded could not be effaced even by the fervid loyalty of 1660.

During the quarter of a century which elapsed from the Restoration to the Revolution, the Privy Council experienced another change. We are passing from the time when State affairs were discussed and great causes decided by the King in 'Council' to a period when the Cabinet was separated from the Council, and closed its doors against the sovereign. Royal assent or command is thus no bar upon the responsibility of a minister; his function comprises both advice and execution: and though his authority is delegated from the crown, he holds its exclu-

\* See Lady Shrewsbury's examination at the trial of Arabella Stuart.



sive exercise and responsibility. The Cabinet is still unknown to the law, and it arose partly from the Privy Council becoming too numerous for secrecy and dispatch, partly from the indolence of Charles II. and the tortuous foreign politics of the Cabal which precluded the regularity and comparative publicity of a full Council. The fall of Lord Clarendon sealed its fate. His object had always been to uphold its power and dignity; he had endeavoured to confine its members to those high in office and high in rank,\* and thus to secure its administration of its supreme power. Charles I is said to have originated this appointment of a committee to decide upon matters of consequence before they were finally submitted to the Privy Council—a scheme which suited his ideas of regal power and anticipated to some extent opposition to his policy. Under Charles II, notwithstanding the efforts of Lord Clarendon and Sir William Temple this change gained ground; and by leading to the eventual establishment of ministerial responsibility promoted the ends of liberty. We find it stated that at one time the Archbishop of Canterbury† was always a member of the cabinet, just as the Lord Chancellor is now. The number of its members seems to have been small at first—the famous Cabal consisted only of five—while the present cabinet of Lord Palmerston at one time numbered sixteen.

Under William III this distinction of the cabinet from the Privy Council becomes more and more confirmed. A sovereign of such unrivalled administrative capacity, and whose proceedings were so often marked by secrecy and expedition, would not be readily brought to consult with a numerous body like the Privy Council, nor even, as sometimes happened even in the most important matters,‡ with the more select cabinet itself. Twelve was the usual number of the Privy Council in early times; after it had inconveniently increased, Charles II in 1679 restricted it to 30, but since that it has been indefinite.

The position in which we find the Council after the revolution was widely different from that with which we are acquainted in times previous to the Great Rebellion. Privy Councillors are still however made at the sovereign's nomination; they enter office on taking the oaths, and retain it during the lifetime of the sovereign, though removeable at his pleasure. The Act of Settlement 12 and 13 William III c. 2 enacted that no one born out of the dominion

\* Hallam's Const. Hist. ii p. 348 note.

† Hall. Const. Hist. ii 349 note.

‡ See note p. 350—the Partition Treaty.

of the English crown, unless of English parents, even though naturalized by Parliament, can ever be appointed to the office. The sovereign can dissolve the whole Council if he please, and appoint another, but since 6 Anne c 7 (which continued the existing council till six months after the death of the sovereign) the royal demise does not *ipso facto* determine its existence. No question respecting the jurisdiction of the Council survived the Revolution, but the narrow bounds within which it has been restrained are a striking contrast to the whole of its previous career. The only relic of the criminal jurisdiction which belonged to it at the time when it sat in the Curia Regis, is its right to examine and commit for high treason; but the power of punishment has entirely passed from its hands. It still issues proclamations, and is called upon to meet extraordinary emergencies, and it reserves to itself the right of granting charters. These, together with its jurisdiction over the colonies, alone remain of its former authority. The consequence has been a change of feeling with respect to it. It is the natural tendency of men's minds to look to the executive to deal with certain cases which occasionally arise, and which are beyond the reach of the ordinary tribunals and institutions of the country. This feeling or this necessity has resulted in throwing a large amount of almost irresponsible power into the hands of the Secretary of State—and some recent extra-judicial investigations have shewn that power in a light which may at any moment become of questionable utility. The present generation has witnessed an important renewal of the old functions of the Council. The 3 and 4. Will. IV c. 41. established a judicial committee consisting of the Lord Chancellor and such members of the Privy Council as shall hold certain judicial offices specified in the Act and all who previously filled the offices of Lord Chancellor, or President of the Council, and any two other members who may be appointed thereto; three of whom, exclusive of the President for the time being, shall form a *quorum*.

The complete separation of the Cabinet from the Council has served to divert from the latter the attention of the public and almost to withdraw it from any decided influence on the course of events. The change which has made a select few, each of whom is burdened with the charge of a distinct laborious department, the channel of the exercise of the executive power, has tended oftentimes to throw a large amount of uncontrolled authority into the hands of a single Minister. The preventive voice of public opinion and the corrective hand of Parliament are sufficient to restrain its abuse; but the fact remains that at the present

moment a Minister, if supported by public opinion, can exercise an authority which in the days of Charles II. would never have been tolerated. The strong antipathy to the Privy Council has entirely faded from the public mind, and the present generation has witnessed the first attempt to re-invest it with a portion of its old judicial functions. Whether or not the appeal from a Court of Equity should lie in the last resort to the House of Lords or to the Privy Council, as a question of practical convenience, is one which may be often canvassed. As a question of constitutional propriety the verdict of history is that the lords in Parliament acquired an appellate jurisdiction over the Courts of Equity at the time when they divested the Privy Council of the greater portion of its judicial authority. As a tribunal possessing the supreme original and appellate jurisdiction in all matters cognizable at common law, the High Court of Parliament is distinguished in history and stands on its true ground as the legitimate successor of the Curia Regis. The former it lost and never regained; but its appellate jurisdiction over Courts of Equity—the right to temper, in the language of Lord Bacon, the rigour of law by the conscience of a good man—has in the complicated state of English jurisprudence necessarily thrown the functions of the house into the hands of a select body of law Lords who would exercise their authority with increased dignity and equal weight if they sat as a separate court, as they were wont in the days of the *consilium ordinarium*.

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ART. VI.—*Acts V & XIII of 1861.*

WE make no apologies for touching thus early on a measure which has been introduced into no district more than fifteen, and into some districts not more than nine months. No doubt final judgment must be suspended, not only till the publication of the first Annual Report, but further, till several years of experience shall have provided reliable grounds for a mature opinion; still, as an experiment, the results of which must be incalculable for good or for evil, the first steps are full of instructive lessons. Fragmentary as our remarks must be—some of them dealing with the theoretical principle, some with the Legislative details, and some with the practical workings of the new measure,—we yet think that such contributions to the cause of Indian Police Reform may be found useful.

Amidst the perplexities and uncertainties of the subject there is one sure standing ground. Whatever may be the shortcomings of the new system, the old Police was (we are sorry to say *is* in Bengal) about as bad as bad could be. Three generations have passed a just and decided verdict on this point. The Police were proved over and over again to be the accomplices of the Dacoits—the jackals of the Thugs. It was shown that torture was habitually made use of in the investigation of crime; that a stock of ‘confessors’ was kept ready at every *Thanah*,\* in order that, when the wrath of the Magistrate grew high, a victim might be at all times available; that, practically, it rested with the Darogah whether crime should be reported or concealed, punished or suffered to pass with impunity; and that either event proved to him a source of unauthorised gain. Each unofficial European resident in the interior felt, to a minor degree, the evil which crushed the ryot, that every occasion on which he was brought into contact with the guardians of the peace insured annoyance to himself, and emolument to them.

In this universal bad odour of their predecessors the new Police had a most powerful auxiliary. They were sure of contrasting favorably with those with whom they would naturally be compared.

\* Throughout we have preferred the use of the old names ‘*Thanah*,’ and ‘*Darogah*’ or ‘*Thanahdar*’ to the modern names ‘*Station*’ and ‘*Chief Constable*.’

No English prejudice was likely to be shocked by the change, because it was universally felt that no change could be for the worse. It was certain that all the confusion and delay attending the introduction of a radical reform would be forgiven, in the hope that our new protectors would not turn out to be our worst oppressors—the ministers of justice no longer remain the most irreclaimable of criminals. Despair at the existing state of things: the hope that will see no danger in any reform; the ardour of a fresh institution; all these motives united to produce a general feeling of confidence in the new force. There were some, and among them were to be found members of the Legislature, who believed that besides the negative result of securing our subjects from the tyranny of underlings there would be a positive increase in the safety of life and property. They thought, against all experience, that the system, which they fondly believed perfect, might perhaps regenerate a corrupt society, and the analogies of the English and Irish Constabulary were brought forward to justify a hope that the same absolute safeguards of order might be provided as in European kingdoms.

Such sanguine hopes were perhaps necessary to prevent men from being daunted by difficulties of the scheme. These were nevertheless great. An entirely new machinery was to be created. Few of the details of the measure had been provided by the Legislature. Arrangements originally contrived to suit a European state of things were to be introduced among a society that bore not the slightest resemblance to any thing European, and engrafted on old institutions and customs repugnant in every way to European notions. The task was to be entrusted to officers unprovided, as a rule, with a particle of local knowledge; and lastly, the sure hostility of the old native cliques was to be met.

It is known that every officer of a criminal or revenue court has his train of dependants—himself depending meanwhile on the favour of some official higher in the scale. The ryots rally round a ryot; the Mahomedans round a Mahomedan. Each official of trust or importance expects to be able to introduce some relation, connection, or friend into Government service, and even the purest of the class will intrigue heart and soul to get a member of his family into a post of some ten rupees a month. Periodically the old relationships may be broken up by some energetic Magistrate, but the passion is engrained, and periodically the family interests revive. There were many causes to induce all classes to unite in hostility to the new measure. In the first place, there was to be a change, and the idea of change

is connected with every thing most distasteful in the eyes of a native, and more especially of a native official. Old traditional and well recognized systems of corruption were sure to be broken up, and it might belong before fresh arrangements could be organized in their place. Again, it was known that a stricter discipline would be introduced; the whole force was to be drilled, and to a native whose hopes are fixed on a civil pursuit drill seems an insupportable indignity. Again, the pay of the thanadars was to be much diminished. Lastly, in some districts a rumour got abroad, in that mysterious way by which such impressions are propagated, that perhaps the Burra Sahib would not be displeased with those who resigned a service no longer under his own patronage. As if to aggravate matters, advantage was every where taken of the opportunity to make a sweeping removal of all who seemed unlikely to come up to the mark of efficiency. Instantly the alarm was taken. All who feared removal themselves all who had relations to serve; all who, having paid well for their present posts, looked for future opportunities of reimbursing themselves; all who were in the most distant degree connected with any one employed, or likely to be employed in the old Police, began industriously to propagate every kind of false and absurd reports against the new force. The highest official was to be flogged for the first offence; no dignities were to be respected; all the little appendages that mark the position of a petty official were to go as a matter of course; tattoos would be prohibited luxuries, and every one must march on foot to his duty: all who entered the force were to be ever after cut off from employment in any other line. And to such rumours was added the threat that, if any one should be so bold as to desert his clique and enlist, the support of the clique would be withdrawn from him, and that, in that case, the first accusation of corruption or extortion would be his ruin.\* Thus the introduction of the Act was followed in many districts by wholesale resignations, and the interests of those who remained were wholly bound up with those who went.

Such were the hopes that attended, and such the difficulties that obstructed the introduction of the Constabulary. It is our task to enumerate—and we trust that we shall be believed when we say, in no unfriendly spirit—the errors, either in the principle

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\* The effectiveness of such a threat will be felt by many a district officer, who, after flattering himself that he has caught a notorious extortioner has, later on, found reason to suspect that the victim was, after all, but a scape-goat—less rather than more guilty when compared with his neighbours—but sacrificing to some revolt against the traditions of his clique (*bhai bund*.)

of the measure or in the practical details, which have lent additional aggravation to obstacles in any case certain.

I. The ever increasing deluge of forms, resolutions and circulars which paralyze, while they pretend to guide, the action of the District Superintendent. Time and thought that ought to be spent in actual work are spent in exhibiting results. It is always the way in India. Work is measured by waste paper, and gradually the preparation of waste paper comes to be the principal work. Young as it is, the Police Office is becoming as large and as hampered with forms as the oldest civil court. Already in each district it provides work for some two English writers and a European Assistant Superintendent or Inspector—all, be it observed, additional and *non-productive* labourers.\* For Heaven's sake let economy of time and simplicity of detail be somewhat consulted. Let after thoughts cease. Can no measure, however simple, be framed for the administration of the country, but it must be made at once the text of endless explanations and comments, engulfed in a vast vortex of conflicting instructions, patched and re-patched till not a vestige of the original fabric remains visible?† If experiments must be tried, at least let the details be settled beforehand.

II. The madness—we can call it nothing less—of reducing the pay of the thanadars. It is with these men, almost the lowest in the scale, that the real power, at least for evil, rests, and must rest. A thanadar can reduce to absolute ruin any one of the seventy or eighty thousand people in his jurisdiction. He can render the lives of the numerous bad characters most comfortable or most luxuriously prosperous. For every crime produced he can produce a criminal. If the victims chance to be innocent, so much the worse for them: the accident cannot be charged to his account. Or he can, with almost equal impunity, suppress the report of the crime altogether, and even turn the chief sufferer into the chief offender. On all the occasions, in which the rulers come in contact with the ruled (and owing to the relations of a civilized government with a semi-civilized population, it is the tendency of such occasions to multiply themselves continually) he can make his power the source of

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\* This is as real a distinction in administrative, as in Political Economy. In both there must be unproductive, as well as productive labourers; but the aim of both sciences is to reduce the number of the former to a minimum.

† We have now a simple Penal Code and a simple Criminal Procedure. How long will they remain simple under the manipulation of the Sudder Judges?

'infinite annoyance. Take, as an instance, his power over a native landowner. He can report that the village well-head is in bad repair, and in its present state dangerous, or that the Zemindar has encroached on the public road, or has sheltered a bad character, or that he has interfered with the service lands of the village watchman; and so on without end. It may be laid down as a pretty general rule that, if he refrains from exercising his power in all or any of these instances, it is only because he is paid. From a conviction of the power of abuse in the hands of such men, Indian thinkers have long held that a reform to be effectual must commence with the thanadars. Their pay and position must be raised to such a point that it will be easy to retain men of respectable family in the post. The very reverse of this has been done in the North West. The old thanadars received from 35 to 50 Rs. a month: under the new regime they have been cut down to, on an average, 20 and 25 Rs. and, what with subscriptions to Superannuation Fund, Income Tax, expense of uniform, and other items, the real amount received is not often more than from 16 to 20 Rs. The savings effected by this reduction of pay go to support an increased number of constables, and a variety of inspectors, very useful officers in their way; but no consideration whatever can justify the reduction of the thanadars to a pittance which renders corruption inevitable.

III. Too great haste at first in removing the corrupt and incompetent. Men are apt to think that on this point there cannot possibly be too great haste. They forget that the miserably small pay has rendered some degree of corruption inevitable; that it is only in degree that the practices of one can differ from those of another; and that where corruption is so widely spread, the chances are that the comparatively innocent will be made the scape-goats. They forget too that, the more uncertain the tenure of office is, the less readily will respectable men come forward, and the more anxious will those who do come forward be to enrich themselves before the blow comes. Meantime all the former tenants of these posts, and all their hangers-on are busy in depreciation of the new force, and every fresh removal adds point to their endeavours to deter men from taking office in it. When it is recollected how hard it is to persuade a native that the removal of any official was owing solely to his own shortcomings, and had nothing to do with his "kismut," it will be easy to imagine the evil caused by even the best deserved punishment while the system is yet in its infancy.

IV. The doubtful policy of establishing a staff of European Inspectors. These men, from the comparatively small amount



of pay, must necessarily be drawn from the class of adventurers.\* We use this term in no disrespectful sense. We simply mean it to designate men who have been either born in the country, or have come out to it with no fixed prospects except that of turning their hand to any employment that may come in their way. Disappointed Railway employes, ex-conductors in the Commissariat Department, seafaring men—members, in short, of that miscellaneous class of roving Englishmen that is yearly increasing in the country—such are the men who are glad of an Inspectorship in a new Police. They are on an average the sort of men who served or might have served in the late Yeomanry Cavalry—men who did undoubted acts of skill and daring in the mutiny—admirably adapted for a purely, or even semi-military force; but, we think we are doing them no injustice when we say, out of place in a wholly Civil Police. Indeed it is not easy to see what special object can be gained by employing them. They can, it is true, be sent round every now and then to see that the books, &c. are *en règle*; and occasionally they may with advantage be despatched on some extraordinary service, in which intrepidity rather than delicate management—instinctive sagacity rather than special training, is required. But this is all. They cannot be put in permanent charge of an outpost. The life of a half-educated Englishman in an isolated position, unsubjected to daily discipline, would, we fear, be so little edifying that he could not, without loss of prestige, be made the representative of law and order. Nor can they be employed in any more than ordinarily intricate investigation. Occasionally there would be found one man brighter than his fellows, who might be trusted to take the place of the ordinary Police in tracing out the evidence of a crime, but in the greater number of investigations required to guide the judgment of a Superintendent, they would be at once too high, and yet not high enough. Too high to be employed as detectives, for which service indeed their distinctive character as Europeans obviously unfits them, and yet not skilled enough to manage the delicate cross-examination, the nice balancing of various statements, which gradually disclose the true state of things. Take, for instance, the case of a charge of corruption preferred against a particular official. An average Inspector despatched to enquire into the facts would be liable to be imposed on by the first extravagant story\*. Is it heresy to suppose that

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\* We could record some laughable, and some more than laughable instances of the failure of Inspectors in such investigations, but fear the imputation of personality.

in such cases the Superintendent would prefer to be guided by the judgment of a native rather than that of a European Inspector? It comes to be a balance between the disadvantages of mental obtuseness and of moral obliquity. We put it to our readers, which of the two is, in delicate cases, most reliable; and, lest they should object that the dilemma does not exhaust all the possibilities of the case, we will ourselves forestall them by remarking that, if instead of many Inspectors we had a few more local officers, then neither alternative need be accepted. We repeat, it is only in special emergencies that the Inspectors will be found the instruments best fitted for the particular service. Would not one such special instrument be sufficient for each district? Work of some kind will no doubt be got out of them, but it at least admits of a doubt whether their services are at all commensurate with the expense of their maintenance. Would not a few additional district Superintendents be found infinitely more adapted to the object in view?

V. The mistake of abolishing all written examinations during the first enquiry by the Police. Of old when the *Goraget* (village reporter) in his daily or periodical visits to the Thana brought intelligence of any crime, the Darogah was instructed to proceed to the spot, examine all the parties concerned, take down their evidence and that of the witnesses, draw a plan of the scene of the crime, and forward the papers with an abstract, and his own opinion to the Magistrate. This power was, of course, open to manifold abuses, and, equally of course, was, as a matter of fact, pretty generally abused. Confessions were extorted; evidence was cooked; the payment of a bribe exempted many a principal witness from being sent in to the Magistrate's Court; and we can allow that there were, on the surface, many reasons for the new rule, that on no account should the Darogahs take down the evidence of any witness, or the answer of any prisoner.\* But the evils of the change are much more than a counterbalance. They force themselves naturally indeed on the mind of any one who has ever seen a 'chulan' being brought into a Magistrate's Court. Our readers may form a correct notion of a 'chulan' if they picture to themselves one or more fettered criminals, and a crowd of attendant witnesses, guarded—witnesses and all—by a Policeman in the front, and a

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\* We believe that, if the criminal manifests extreme anxiety to disburden his conscience, the confession may be taken down under certain precautions. Tenderness of conscience on the part of a North Western criminal is not so general as to lead us to imagine that these precautions are often put in force.

Policeman in the rear—not unfrequently indeed secured by a rope passed round the whole body. The supporters of the new system will say that this is one of the great evils they wish to obviate, their aim being to introduce a thoroughly English mode of procedure. A most excellent aim we must admit: but in England men do not hide in fields of corn or behind gooseberry-bushes, when they catch sight of a Policeman with a subpoena: in England men have not to march on foot forty miles to give evidence, and forty miles back again; in England a witness is paid an equivalent—very generally indeed more than an equivalent—for the time spent. In a word, in England both prosecutor and witnesses are ready to come forward; and in India they would give, and do in fact give, much to get off. In this country there is often need to guard the witnesses not less carefully than the criminals; and, while we are thus forced to assimilate their condition in one respect, it is difficult to prevent them from coming to a most undesirable mutual understanding in another respect. Even if they are not marched off in company, and lodged at night in the same room, there are, in the intervals between apprehension and trial, never wanting opportunities for the friends of the criminal to impress his views on prosecutor and witnesses alike. It would be odd if, as the result of such a combination, the latter did not on the day of trial, profess their entire ignorance of all the circumstances in the most remote degree connected with the charge. In fact the only safeguard against such a consummation will be a record of the evidence, while the events are as yet recent, and while the neighbours are under comparatively slight temptation to conceal the facts. As it is, a most gratuitous difficulty is thrown in the way of the successful prosecution of crime by this well meant provision. The thanadars are indeed permitted, as it is with amusing naïveté provided, to record ‘for their own satisfaction’ an abstract of the evidence, but our experience of the Darogah character will not suffer us to fancy that any extended use is made of this privilege. Can any of our readers, can the Inspector General himself conceive a thanadar keeping any record for ‘his own satisfaction’? In fine, the abuses against which the provision was aimed can only be met by that increased supervision, which it is the object of this article to advocate. Every thing short of this will thwart justice, while it does not protect the subject.

VI. The non-employment of a separate force of detectives. A constabulary in India like the gendarmerie in continental Europe is intended for two distinct purposes, the repression of disorder and the detection of crime. The new Police in the North West

are, and, as far as we can see, are likely to remain, effective for the one, but nugatory for the other purpose. Indeed the experience of the Irish constabulary, the analogy of which is the mainstay of the measure, might have taught its supporters to expect this result. The Irish constables who threw Sir F. Head into such ecstasies of admiration have always been found most useful in the repression of disorder but absolutely, unavailable for the discovery of the criminal. But in Ireland, besides the regular constabulary, there is a separate, and exceedingly well paid force of detectives, and this division of labour is beginning to succeed in attaining the double purpose of a Police. There are no doubt grave difficulties in the way of applying the expedient to India. In one respect the conditions are the same. In the 'disturbed districts' of Ireland, as in the whole of India, the sympathies of the population are with the criminal rather than with the Police. In India the feeling is perhaps more apprehension of the consequences of interference than positive sympathy; nevertheless, the result is the same--an unwillingness to help in the investigation. But, if in this fact is to be seen the need of employing skilled detectives, it is on the other hand certain that, without extreme precautions, the power thus bestowed would be as shamefully abused as that given to the spies of absolutism abroad. Anything would be better than the revival of such a system as that from which part of Rohilkund suffered under a rather famous Civilian some years ago. The detective rapidly became a mere spy, but, as a spy, he was the terror of the country. He became in fact all that the ordinary thanadar ever was, and more. Our first duty is to see that those, whom we employ in the detection of crime, are not more dreaded by the population than the criminals themselves, and in comparison with this, it is but a minor duty to see that they fulfil their object of reducing to a minimum the impunity of crime. Is it however impossible to unite both objects? We believe not. As a civilized government we must endeavour, by every means in our power, to provide the same security for life and property as at home. We cannot attain this end without the employment of detectives, and these men must be subjected to the most minute supervision. Here then, as before, minute supervision is forced on us as the ultimate remedy for abuses.

VII. But, as if for the express purpose of reducing still further the limited amount of supervision before possible, the Act provides for the separation of the offices of Magistrate and Police Superintendent. This may suit English notions and English

circumstances. We will even allow that it is founded on a theory, correct enough when taken by itself, that the office of collecting the proofs of crime, and that of judging the value of these proofs when collected, should not be vested in the same officer. But paramount to all such theories is, in India, the pressing necessity of economizing our European officers by assigning to them the smallest possible jurisdictions in order that they may bring to their task the largest possible amount of local knowledge. The truth in this matter is so very plain that it might be taken as the battle-field for the cause of Indian necessities *versus* English analogies: it has been so very often acknowledged that now, when it seems the whole question is to be fought out afresh, we are more inclined to despair of Police Reform in Bengal than in the worst days of the Darogahs. We did think that it had long ago been agreed that concurrent and co-extensive jurisdictions are a mistake,\* yet here we have the old foe in its worst phase again. In each district a Police Superintendent has been appointed to effect the very object for which a Magistrate had been appointed before him. He has his subordinates. So has the Magistrate. Apart from the risk of jealousies and difficulty of acting in concert—jealousies and difficulties, we may observe, that *will* be felt by the native underlings even when there is the best understanding between the chief—apart from this we say, let any of our readers try to calculate the waste of labour entailed by their double establishments. Take, as an illustration, the example of an average district in the North West containing, we will say, from 1,500,000 to 1,800,000 inhabitants. There is a Magistrate with probably from four to five subordinates, covenanted and uncovenanted, who spend one quarter of the year in moving about the circles committed to their charge. There is also a Superintendent of Police, who has to hold the strings of some thirty police stations and, however active, can only visit each of these stations for two or three days in the year. He has one European subordinate, whose time is probably wholly taken up with the details of the English office, another who acts as a sort of personal assistant, and, say, as we are speaking of an average district, two more, who are held in the leash, ready to be let

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\* And yet it will be recollected that, when in the Legislative Council an unreasonable doubter put this very objection to the chief framer of the measure, he was answered that, as it was so generally acknowledged that the junction of the Police and Magisterial functions was inadvisable, there could be no use in arguing the question. The true mode of meeting inconvenient objections all over the world, from household squabbles up to the administration of an Empire!

slip when anything extraordinary occurs. Want of leisure prevents the Superintendent from remaining for any length of time in any one sub-division, and although this obstacle does not apply to the European subordinates, yet, for reasons to which we have alluded already, it is doubtful whether the expedient of putting half-educated Englishmen in independent charge of out-stations would not be attended with greater harm than good. Meanwhile, the Magisterial officer is on the spot. He has acquired more or less knowledge of the criminal classes in his sub-division. He has gained by practice the indescribable knack, that local knowledge gives, of being able to judge *prima facie* whether a case is genuine or not. But he cannot be given, except indirectly, the control of the Police, and must not be allowed to collect the evidence of a crime, lest as judge of the case his judgment should be biassed. The result is that work is created for a whole extra establishment of Moonshees, writers (English or native), office keepers and others, and the utmost care is taken to prevent local knowledge from being brought to bear on the investigation of crime. The work that was before done inefficiently by one establishment is now done inefficiently by two, and fully occupies the time of both.

But our objection goes deeper than this. It is not merely that we mourn the waste of local knowledge, but that we hold it as an invariable rule, that the plenary and immediate control of all subordinates should be entrusted to the local officers. It is a part of the evil system of centralization, to which our Government stands from day to day more committed, that some medium is always interposed between the officer who is best acquainted with the facts, and the officer who is vested with full authority. In a word, a written report is thought to be a safer guide for the judgment than personal inspection. Who is so well qualified to judge of the conduct of the Police in the investigation of a crime, as the Magistrate who tries the case? and yet all control of their actions either by punishment or reprimand is carefully denied to him. It is true that he is allowed to bring the matter before the District Superintendent by entering his opinion in a column of the charge-sheet. On this we have two remarks to make. *First*, that there is, in the provision, a needless waste of time. A Magistrate has not only to make up his own mind, but—an infinitely more difficult matter—to convince another also. All the time spent by him in detailing his reasons for the condemnation of any particular practice, and all the time spent by the Superintendent in mastering those reasons, and referring to the papers filed in support of them, is so much thrown

away, and would be economized, if the Magistrate had the power of control in his own hands. *Second*, the condemnatory remarks necessarily present themselves to the Superintendent in the light of a complaint. This fact is quite sufficient to prevent anything like a free use of the opportunity. The temper of every Indian official is too much, and too necessarily, tried during the course of his daily work, to allow of the additional aggravation that would be caused, if one department was constantly occupied in criticizing the conduct of another. With the best intentions, and the utmost forbearance on both sides, an uneasy feeling of jealousy must arise, if a Police Officer were often called upon to punish his subordinates on the report of a Magistrate.

And, to take a less detailed view of the question, what, we ask, is to become of the opportunities, which, bad as it was, the old system offered to an active young officer of 'making his men'? Shall we never again see the spectacle of an Assistant or Deputy Magistrate, while engaged in his cold season camp life, taking his police underlings by the hand, and, knowing that their credit and their efficiency were intimately bound up with his own, entering with them into the more intricate investigations, pointing out the course to be pursued in all emergencies, correcting them sharply when mistaken, stirring them up when lazy, and, by his explanations and advice, giving life to the dry mass of instructions, regulations, and forms that had been set forth as their guide? Is it merely that such opportunities have been made over to the Police Officer, or have they been done away with altogether? We fear the latter. That they have been taken away from the Magistrate is, unhappily, beyond a doubt, for in India the power of training is inseparable from the power of punishing.\* That they have in return been made over to the Superintendent is, at least, questionable; for such training implies close attention; and, out of his thirty stations, what minute scrutiny can a Superintendent bestow on one? It implies presence on the spot for some considerable length of time, and we have seen that a Superintendent cannot spend more than two or three days in the year in any one subdivision. It implies, above all, constant verbal admonitions; and, during all but those two or three days, the Superintendent is confined to written orders, which he feels with a sigh, even while dictating them, will be treated as matters of course, and most probably put aside. He can occasionally, when driven to extremes, launch a European Inspector at the head of the offen-

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\* Where, indeed, is it not?

ders, but, when the visit is past, the effect will pass too and things will return placidly to their usual round.

After this detail of the evils resulting, in our view of the matter, from the separation of Police and Magisterial powers, it is reasonable to weigh the objects which it was intended to attain. The first, a wish to assimilate Indian proceedings to an English state of things may be passed over without remark. Those who base their argument on the necessity of observing English precedents in Indian administration, are beyond our small power of persuasion. We can only wish them a happy, and speedy return to a country whose institutions they believe to be applicable to all societies, and under every kind of different conditions. A second object was, at the time, stated to be the establishment of a uniform organization, and something like military discipline, so that the force might, on an emergency, be used in repressing an *émeute*. In this aim, too, the framers of the measure were, we think, a little influenced by European analogies. Because in Europe the gendarmerie, and in Ireland the constabulary, have in view the repression of disorder as much as the detection of crime, it was therefore imagined that a similar organization was needed out here. If the Inspector General thinks that his force could be relied on in case of any general *émeute*, then, to him too we have nothing to say. We think, however, that his experience in Allahabad in 1857-1858 has taught him another lesson than this. As a matter of fact the old *burkundazes* were found quite adequate to meet any of the petty disturbances ordinarily likely to occur, and even if it should be thought advisable to infuse some Military discipline into the new force, we do not see why this should not be effected through a Civil Magistrate quite as well as under a Superintendent, whose time is, as a matter of fact, occupied to the full with office work of a purely civil nature. The chief object, however, of the measure was the alleged necessity of separating the task of prosecution from that of judgment—the impolicy of exposing an officer to be biassed in his decision of a case by his own previous exertions in tracing out evidence of the crime. We have referred to this before, and we now return to it more fully. It is certainly true that the three functions of Government Prosecutor, Judge, and Counsel for the defendant were often united in the same person. We doubt however whether, after the first novelty, any one felt himself seriously embarrassed by the incompatibility of these three offices. Practice, and the consciousness of the great interests of justice at stake, enable most men to preserve their impartiality even when they are successively called



upon to superintend the efforts to detect a criminal, to weigh the proofs thus collected, and to bring forward in as strong a light as possible the various pleas in behalf of the defendant. Indeed, would men but throw themselves heart and soul into the situation, the habit of considering all the facts brought out in a trial from these three different points of view is the most effectual training, that could be devised for the attainment of a judicial frame of mind. An energetic searcher for the truth under its various disguises is far more likely to weigh all points, than a passive recipient of varying statements as they are successively produced. Be this as it may however, the necessity, and the risk are absolutely the same—neither more nor less in any way—under the new system as under the old. The evidence produced spontaneously on the day of trial is so scanty and irrelevant, the witnesses are often so reluctant, that a Magistrate has perforce, now as before, to resort to the arts of a counsel for the prosecution to worm out the convincing proofs of the crime. The true cause of distinction between our courts and those at home was not the junction of the duties of Magistrate and Police officer, but the absence of well-trained counsel, able, as in England, to unfold all the pleas on both sides. At home a deciding officer is so sure that each party will put in their most forcible light all the facts supporting his view of the case, that he can reserve all his attention for the task of discriminating and balancing. In a word, the cross-examination of witnesses is conducted for him and not by him. Out here, on the contrary, a native ‘Mooktar’ is so wholly untrained in the principles of evidence, he so invariably mistakes the true issue of the case, and is so sure to miss the distinction between relevant and irrelevant facts, that, we believe, in the greater number of instances he is quietly put aside, and the cross-examination conducted in person. In this respect not the slightest change has been produced by the new measure in the practice of any Court; and as long as this continues the case, so long will the separation of Police and Magisterial functions fail to reduce whatever risk of bias there might have been of old.

The conclusion of the whole matter is this. We must narrow instead of widening the extent of jurisdiction, and give each officer plenary power in his own sub-division. If, with a centralized system, and well mapped gradation of authorities, we wish to secure the masses from the oppression of the Police, we must curb these latter at every point, and thus reduce to a minimum their utility as ministers of justice. If, with the same system, we place the certain detection of crime above all other considerations, we must allow free elbow room to

the Police, and then—with the controlling officer at a distance and overwhelmed with details—we simply hand over the population to the wicked will of the most shameless set of petty despots that the world has seen since the provincial tyrants of the Lower Empire. If, on the contrary, upsetting centralization, throwing aside the nice sub-division of labour, which in India is a bar to usefulness, we lay down, as the basis of all Police Reform, the principle that every native underling shall be exposed to the most minute supervision—then, we may, with comparatively little fear of abuse make over to them powers for the detection of crime, that on any other system would be assuredly turned into engines of oppression and extortion: we may allow the employment of a special class of detectives, sure that special attention can at any moment be given to their doings: we can permit a chief constable to record evidence, and, if need be, to take down confessions, because we know that every kind of abuse is rendered impossible in exact proportion to the opportunities of frequent personal investigation: In fine, we can trust our police officials, because we can be sure that, to an officer on the spot, untrustworthiness cannot long remain unknown. It may be said that no officer can remain always on the spot; and this is true. But the moral effects of a personal investigation extend far beyond the immediate occasion. A few searching enquiries every cold season—some retrospective, into the transactions of the past summer—would suffice to establish a check. A subordinate feels that he is under supervision not only when every one, but also when *some*, he is not sure which, of his many acts will be carefully examined.

Minute supervision implies minute jurisdictions. Every Magistrate, every Assistant, every Deputy should be *ex-officio* Superintendent of Police in his own circle. The extra Police establishment thus rendered unnecessary would pay for two additional officers (military if need be) in every district. We should gladly welcome a measure by which in every district a numerous staff of officers military, covenanted and uncovenanted, with separate jurisdictions but one common object, would be forced into wholesome rivalry as to the smartness and efficiency of their several establishments.

But however sound the principle on which Police-Reform in Bengal may be based, nothing will be effected without an improvement in the material. We must begin with the beginning—the *origo mali*—the Police themselves. First of all their pay must be increased. The sacrifice of a few constables in every Station, and of a European inspector here and there, would be

amply counterbalanced if the pay of each chief constable could be increased to forty or fifty rupees a month. Next, their tenure of office should be rendered as secure as possible. It should be generally understood, that frequent change of instruments is the sure mark of inefficiency in the central authority. Above all, nothing should be left undone to raise their status, now so low in the eyes of themselves, and of the people at large.

Let these suggestions be looked to when the constabulary is introduced into the Lower Provinces. Bengal may rest assured that the opinions we have here expressed, are those of nearly all the Magistrates and many of the Superintendents of the North West; and that, where such sentiments are not openly expressed silence is caused by a laudable fear of hampering a new order of things in its infancy. If we have not ourselves imitated such scrupulous reticence, it is not assuredly that we are more wedded to the old system, but because what we consider the failing of the new Police, have now so clearly manifested themselves that it becomes an imperative necessity to guard against the possibility of similar errors in any Province to which Reform may now be extended. If the long delay results in securing to Bengal thus much benefit from the experiment in the North West *then*, once more, will procrastination deserve the reputation of having been, unconsciously, the most statesman-like course possible.\*

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\* It will, we fear, seem ungracious to devote a whole article to the evils of a measure, and reserve all mention of its benefits to a foot note. Among the latter is the injunction that no policeman shall have any thing to do with impressment (*begaree*). This is in fact a whole measure of reform in itself. Of its merits in relieving a neighbourhood of its worst fears, and internal trade of its worst impediments, we cannot speak too highly. Among the minor benefits are the Superannuation Fund, which, however, too few will remain long enough in the force to enjoy, the increase in the pay of the private constables, and the admirable expedient of quartering an additional force of police on a mutinous or exceptionally criminal neighbourhood.

ART. VII.—*The Theogony of the Hindus.* By Count M. Björnstjerna. 8vo. London: Murray. 1844.

2. *Sir W. Jones's Works.* Vol. 3. 8vo. London: Stockdale, 1807.

3. *Religious Aspects of Hindu Philosophy.* By Rev. J. M. Mullens. 8vo. London: Smith, Elder & Co., 1860.

A CENTURY has passed since first the British rule began to show its superiority over the effeminate luxury that reigned supreme throughout the Courts of the Mahomedan Conquerors of India. Nearly three hundred years ago, armed with Bulls and Anathemas the disciples of Ignatius Loyala commenced their attack on the tenets of a people grovelling in heathen darkness—a people groaning under the weight of a vile superstition—the tools of a priesthood notorious alike for avarice, dissimulation, and vice. We look almost in vain over the past for any result of the presence in their midst of the worshippers of the true God.

The Astronomer gazes through the wide world of space, predicting to a moment the advent of the various phenomena of the heavens; the Geologist brings us a handful of earth, or a semi-pulverised bone, and tells us that these existed, it may be millions of ages, before man was created,—statements in themselves startling, but nevertheless undeniable truths; the Ethnologist takes in his hand a bleached skull, and, though ages have rolled away since the pulse of life ceased to throb on its whitened temples, yet with an accuracy that baffles contradiction, he defines the race to which in life it belonged; but has the antiquarian or historian been as yet able to give us any conclusive evidence as to whence sprang that awful superstition that rules, as it were with a rod of iron, the myriads of the millions of India?

Sir William Jones, has attempted to adduce facts to prove that the idol worship of India was borrowed from that of Greece and Italy: but as men, totally separate from each other, nations between whom no intercourse ever existed, have worshipped similar gods under different names and forms; similarity in idolatry is

no proof that the worship of one set of idolators was borrowed from another set; the only thing that it does prove is, that the minds of such men are continually searching, as a subject of worship, some object that appears to them clothed with mystery, majesty, and awe.

Idolatry, or more strictly speaking mythology, seems to have four principal sources.

I. Historical, or natural truth has often been perverted into fable, by ignorance, or imagination, and yet more often by the cunningly devised falsehoods of a power-loving and covetous priesthood; the hieroglyphics of the old Egyptian temples, the oracular responses of the Delphian grove, the awe in which the Brahmins are held by the Hindus, all corroborate this latter supposition; and we do not hesitate to assert that it is chiefly from this source that the Theogony of the Hindus has had its origin.

The following lines of Virgil show how a natural fact, by means of imagination became perverted into a superstition that held its sway over at least two of the greatest nations the world ever saw the Grecian and Roman :

Dextrum Scylla latus, laevum implacata Charybdis  
Obsidet, atque imo harathri ter gurgite vastos  
Sorbet in abruptum fluctus, rursusque sub auras  
Erigit alternos et sidera verberat unda.  
At Scyllam carcis cohibet spelunca latebris  
Ora exsertantem, et naves in saxa trahentem.  
Prima hominis facies, et pulchro pectore virgo  
Pube tenus; postrema immani corpore pistrix  
Delphinum caudas utero commissa luporum.

II. The next source of idolatry seems to be derived from a wild admiration of the heavenly bodies; the imagination that the sun is the most glorious of all created things has caused whole nations to bow in adoration before its resplendent orb, and to ascribe to it the honours due to a God, nay more, the altars of the sun in Mexico have reeked with the blood of seventy thousand victims, a single sacrifice to appease his imagined wrath; the untutored savage in the wilds of the forest stretches forth his hands in prayer to the sun as to a god; the more enlightened Parsee owns it as his supreme deity.

III. Numberless divinities have been created solely by the magic of Poetry—the *Odyssey* and *Iliad* of Homer, and the *Ramayana* of the Hindu are undeniable proofs of this; in almost every play of *Æschylus* we have a deity as the unraveller of the

mystic plot. Horace ever fertile in addresses to the heathen deities, thus invokes Diana ;

Mentium custos nemorumque, Virgo,  
Quas laborantes utero puellas  
Ter vocata audis, adimisque leto,  
Diva triformis ;  
Imminens villæ tuæ pinus esto,  
Quam per exactos ego lætus annos  
Verris obliquum meditantis ictum  
Sanguine donem.

IV. The metaphors and allegories of moralists and metaphysicians have also been very fertile in deities ; Plato, Cicero, and Homer teem with proofs of this ; in Indian mythology we have ‘ Maya’ represented as the mother of universal nature, and of all the inferior Gods.

The modern Hindu is but a bad model of his predecessors ; he has sadly degenerated from the majesty and pride of his forefathers ; he has lost all their nobler spirit, and inherits only ‘ their superstitions and vices. If we consult history we shall find that the five principal nations, who in different ages divided amongst themselves the mighty continent of Asia, with the many Islands depending on it are the Hindus, the Chinese, the Tartars, the Arabs, and the Persians ; of these nations our attention will be fixed only on the first ; of these five nations not one has borrowed its religious tenets from the other ; idol-worship of almost every form may be found amongst them, yet the form of worship of each is perfectly distinct from those of the others ; this goes far to support our supposition that the idolatry of the Hindu is not borrowed from that of either the Greek or Roman. In describing the people of India Mr. Lord thus remarks, ‘ A people presented themselves to mine eyes clothed in linen garments somewhat low descending, of a gesture and garb, as I may say, maidenly and well nigh effeminate, of a countenance shy and somewhat estranged, yet smiling out a glozed and bashful familiarity.’ Mr. Orme, the Historian of India, observes of the same people—‘ this country has been inhabited from the earliest antiquity by a people, who have no resemblance, either in their figure, or manners with any of the nations contiguous to them,’ and that ‘ although conquerors have established themselves at different times in different parts of India, yet the original inhabitants have lost very little of their original character.’ Though now degraded and abased, yet we cannot doubt that there was a time when the Hindu race was splendid in arts and arms, happy in government, wise in legislation, and eminent in knowledge ; their fall

is in a great measure attributable to the immense hold the priesthood has had over their minds, gained by means of superstition and Idolatry. Their original language, the Sanscrit, surpasses every language save the Hebrew in its wonderful structure; more refined than Greek, more copious by far than Latin. That the Hindus were in former times a commercial people we have every reason to believe,—the labours of the Indian loom have been universally celebrated, silk has been fabricated immemorially by the Hindus. We are also told by the Grecian writers that the Indians were the wisest of nations, and in metaphysical wisdom they were certainly eminent: in astronomy and mathematics they were equally well versed; this is the race who Dionysius records—

‘ First assayed the deep,  
 ‘ And wafted merchandize to coasts unknown.  
 ‘ Those, who digested first the starry choir,  
 ‘ Their motions marked, and called them by their names.

But now how fallen, all their splendour gone, their once renowned energy for ever fled, of all that graced their nation not one relic left.

We now come to the chief subject of our article ‘the Gods of India,’ of whom we shall be able to give but a brief sketch, inasmuch as a full account of each of them would require a separate volume; but we hope that, from the little we may say in regard of them, we shall be able to convince our readers, that the Mythology of the Hindu is one not borrowed from that of any other nation.

We begin with Ganesa, the god of wisdom, who is represented with an Elephant’s Head, the symbol of sagacious discernment, and attended by a favourite rat, which the Indians consider a wise and provident animal; all sacrifices and religious ceremonies, all addresses even to superior gods, all serious compositions in writing, and all worldly affairs of moment are begun by pious Hindus with an invocation to Ganesa, a word composed of Isa, the Governor or Leader and Gana a company of Deities, nine of which companies are enumerated in the Amarcosh. M. Sonnerat represents this Deity as highly revered on the Coast of Coromandel; ‘where’ says he, ‘the Indians would not on any account build a house, without having placed on the ground an image of this deity, which they sprinkle with oil and adorn every day with flowers; they set up his figure in all their temples, in the streets, in the high roads, and in open plains at the foot of some tree; so that persons of all ranks may invoke him, before they undertake any business, and travellers worship him before they proceed on their

'journey'. It has been attempted to be proved but with little success that this deity was the same as that worshipped by the Romans under the title of 'Janus,' the supposition being founded on the following couplet taken from Sulpitius.

'Jans pater, Jane tuens, Dive biceps, Biformis,  
O cæte rerum sator, O principium Deorum!

It is only in the words 'Principium Deorum' that there is even the shadow of similarity; but similarity, as we before stated, is in idolatry no proof that the gods worshipped are the same.

Menu or Satyavrata, whose patronymic was Varvaswata, 'Child of the Sun,' has in like manner been compared with the God Saturn of the Romans, but with as little success. This Hindu Deity, Menu, was believed to have reigned over the whole world in the earliest time, but to have resided in the country of Dravira on the coast of the Eastern Indian Peninsula; the following narrative of the principal event in his life is taken from the Bhagavat, and is the subject of the first Purana, entitled that of the Mutrya or Fish.

'Desiring the preservation of herds, and of Brahmans, of genii and virtuous men, of the Vedas, of law, and of precious things, the Lord of the Universe assumes many bodily shapes; but, though he pervades, like the air, a variety of beings yet he is himself unvaried, since he has no quality subject to change. At the close of the last Kulpa, there was a general destruction occasioned by the sleep of Brahmá; whence his creatures in different worlds were drowned in a vast ocean. Brahmá being inclined to slumber, desiring repose after a lapse of ages, the strong demon Hayagriva came near him, and stole the Vedas, which had flowed from his lips. When Heri the preserver of the universe, discovered the deed of the Prince of Danavas, he took the shape of a minute fish, called Sap'hari. A holy King, named Satyavrata, then reigned, a servant of the Spirit, which moved on the waves, and so devout that water was his only sustenance. He was the Child of the Sun, and in the present Kulpa is invested by Narayan in the office of Menu by the name of Sraddhadeva or the God of Obsequies. One day as he was making a libation in the river Kritamala, and held water in the palm of his hand, he perceived a small fish moving in it. The King of Dravira immediately dropped the fish into the river together with the water, which he had taken from it, when the Sap'hari thus pathetically addressed the benevolent monarch; "How canst thou O King, who showest affection to the oppressed leave me in this river water, when I am too weak to resist the monsters



“ of the stream, who fill me with dread ?” He not knowing who had assumed the form of a fish, applied his mind to the preservation of the Sap’hari, both from good nature, and from regard to his own soul ; and having heard its very suppliant address, he kindly placed it under his protection in a small vase full of water ; but in a single night, its bulk was so increased, that it could not be contained in the jar, and thus again addressed the illustrious Prince ; “ I am not pleased with living miserably in this little vase ; make me a large mansion where I may dwell in comfort.” The King removing it thence, placed it in the water of a cistern ; but it grew three cubits in less than fifty minutes, and said ; “ O King, it pleases me not to stay vainly in this narrow cistern ; since thou hast granted me an asylum, give me a spacious habitation.” He then removed it, and placed it in a pool, where having ample space around its body, it became a fish of considerable size. “ This abode, O king ! is not convenient for me who must swim at large in the waters ; exert thyself for my safety ; and remove me to a deep lake” ; thus addressed, the pious monarch threw the suppliant into a lake, and when it grew of equal bulk with that piece of water, he cast the vast fish into the sea. When the fish was thrown into the waves, he thus again spoke to Satyavrata ; “ here the horned sharks, and other monsters of great strength will devour me ; thou shouldst not, O valiant man, leave me in this ocean.” Thus repeatedly deluded by the fish, who had addressed him with gentle words, the king said ; “ who art thou that beguilest in that assumed shape ? Never before have I seen or heard of so prodigious an inhabitant of the waters, who like thee, hast filled up, in a single day, a lake a hundred leagues in circumference, surely thou art Bhagavat, who appearest before me : the great Heri, whose dwelling was on the waves ; and who now, in compassion to thy servants, bearest the form of the natives of the deep. Salutation and Praise to thee, O first male, the Lord of Creation, of preservation, of destruction ! Thou art the highest object, O Supreme Ruler, of us thy adorers, who piously seek thee. All thy delusive descents in this world give existence to various beings ; yet I am anxious to know, for what cause that shape has been assumed by thee. Let me not, O Lotus-eyed, approach in vain the feet of a deity, whose perfect benevolence has been extended to all ; when thou hast shewn us to our amazement the appearance of other bodies not in reality existing, but successively, exhibited.” The Lord of the Universe, loving the pious

man, who thus implored him, and intending to preserve him from the sea of destruction, caused by the depravity of the age thus told him how he was to act. "In seven days from the present time, O thou tamer of enemies, the three worlds will be plunged in an ocean of death: but, in the midst of the destroying waves, a large vessel, sent by me for thy use, shall stand before thee. Then shalt thou take all medicinal herbs, all the variety of seeds; and, accompanied by seven saints, encircled by pairs of all brute animals, thou shalt enter the spacious ark and continue in it, secure from the flood on one immense ocean without light, except the radiance of thy holy companions. When the ship shall be agitated by an impetuous wind, thou shalt fasten it with a large sea serpent on my horn for I will be near thee; drawing the vessel, with thee and thy attendants. I will remain on the ocean, O chief of men, until a night of Brahma shall be completely ended. Thou shalt then know my true greatness, rightly named the supreme Godhead; by my favour, all thy questions shall be answered, and thy mind abundantly instructed." Heri, having thus directed the monarch, disappeared; and Satyavrata humbly waited for the time, which the ruler of our senses had appointed. The pious King, having scattered towards the East the pointed blades of the grass Durba, and turning his face towards the North, sat meditating on the feet of the God, who had borne the form of a fish. The sea overwhelming its shores, deluged the whole earth; and it was soon perceived to be augmented by showers from immense clouds. He, still meditating on the command of Bhagavat, saw the vessel advancing, and entered it with the chiefs of Brahmans, having carried into it the medicinal creepers, and conformed to the directions of Heri. The saints thus addressed him; "O King, meditate on Cesava; who will surely deliver us from this danger, and grant us prosperity." The God being invoked by the monarch, appeared again distinctly on the vast ocean in the form of a fish, blazing like gold, extending a million of leagues, with one stupendous horn; on which the king, as he had before been commanded by Heri, tied the ship with a cable made of a vast serpent, and, happy in his preservation, stood praising the destroyer of Madhu. When the monarch had finished his Hymn, the primeval male Bhagavat, who watched for his safety on the great expanse of water, spoke aloud to his own Divine essence pronouncing a sacred Purana which contained the rules of the Sankhya philosophy; but it was an infinite mystery to be

'concealed within the breast of Satyavrata; who sitting in the vessel with the saints, heard the principle of the soul, the eternal Being proclaimed by the preserving power. Then Heri, rising together with Brahmá, from the destructive deluge, which was abated slew the demon Hayagriva, and recovered the sacred books. Satyavrata instructed in all divine and human knowledge, was appointed in the present Kulpa by the favour of Vishnu, the Seventh Menu, surnamed Vaivaswata; but the appearance of a horned fish to the religious monarch was Maya or delusion; and he, who shall devoutly hear this important allegorical narrative will be delivered from the bondage of Sin.' In the foregoing narrative we have the story of the universal deluge, as described in the book of Genesis, and referred to by both Greek and Roman authors; though in the language of allegory, it is in itself very important, as it fixes the probable date, from which Hindu mythology actually begins.

We next come to Indra, the King, and the resemblance between this deity and the Jupiter of the Romans is in some instances very striking, and would almost lead us to suppose that it was the same deity under a different name, but yet the similarity ceases where we should have expected it to be strongest, inasmuch as he is not the 'maximus Deorum' in the Hindu Mythology, being far inferior to the Indian Triad, Brahmá, Vishnu, and Mahadeva; and therefore not entitled to the epithets of Magnus, Divus, Ultor, as regards his destroying power, nor yet to the appellations of Conservator, Soter, Opitulus, Altor, and Ruminus, in connection with his creating and preserving power.

It must always be remembered that the learned Hindus, as they are instructed by their own books, in truth acknowledge only one Supreme Being whom they call Brahma, or the Great One, in the neuter gender; they believe his essence to be infinitely removed from the comprehension of any mind but his own; and they suppose him to manifest his power by the operation of his divine spirit, whom they name Vishnu, the Pervader, and Narayan, or moving on the waters, both in the masculine gender; whence he is often denominated the first male; and by this power they believe, that the whole order of nature is preserved and supported.

That water was the primitive element, and first work of the creative power, is the uniform opinion of Hindu philosophers; Menu the son of Brahmá, is asserted thus to have addressed the sages, regarding the creation of the world; 'This world was all darkness, undiscernable, undistinguishable, altogether as in a profound sleep, till the self-existent invisible god, making it manifest with five elements, and other glorious forms, perfectly dispelled

'gloom. He desiring to raise up various creatures by an emanation from his own glory, first created the waters, and impressed them with a power of motion, by that power was produced a golden egg, blazing like a thousand suns, in which was born Brahmá, self-existing, the great parent of all rational beings. The waters were called Nara, since they were the offspring of Nara (or Jawara) and thus was Narayana named, because his first ayana or moving was on them. That which is, the invisible cause, eternal, self-existing, but unperceived, becoming, masculine from neuter, is celebrated among all creatures by the name of Brahma. That god having dwelt in an egg, through revolving years, Himself meditating on Himself, divided it into two equal parts; and from these halves formed the heavens and the earth; placing in the midst the subtle ether, the eight points of the world, and the permanent receptacle of waters.'

Here we have no borrowed deity; the power of Jupiter, like the mist before the refulgent orb of day, vanishes before the stern majesty of Brahma, the honours paid to Jove are as baubles to those offered to the egg-born god, at whose awful shrine priest and people bow in blind superstition. It is by traditions such as these that the Brahminical priesthood have gained their supremacy over the millions of India.

We now come to the two great incarnate Deities of the first rank, Rama and Krishna.

Rama, is believed by the Hindus to have been an appearance on earth of the preserving power, to have been a conqueror of the highest renown, and the deliverer of nations from tyrants, as well as of his consort Sita from the Giant Ravana, King of Lanka, and to have commanded in chief a numerous and intrepid race of those larger monkeys denominated Indian Satyrs; his general the Prince of Satyrs, was named Hanaman, or with high cheek bones; with such agile workmen, he soon raised a bridge of rocks over the sea, (as described in the Iliad of India the Ramayan,) part of which the Hindus assert remains to this day: these large monkeys are yet held sacred by the Brahmias and others, who travel long distances with offerings of food and fruit, to the places which they inhabit.

The second great incarnation, Krishna, passed a life of a most extraordinary, and incomprehensible nature. He was the son of Devaci by Vasudeva; but his birth was concealed, through fear of the Tyrant Cansa, to whom it had been predicted that a child born at that time in that family would destroy him; he was fostered by a herdsman named Ananda, or Happy, and by Yasoda the wife of. Ananda. That sect of Hindus

who adore Krishna with enthusiastic, and almost exclusive devotion, have broached a doctrine which they maintain with eagerness, and which seems to be pretty general, viz: that Krishna was distinct from all the avatars,—that they had only a part of his divinity, while he was Vishnu himself in human form.

Such then is a very imperfect sketch of the principal deities of the Hindu mythology, to describe all, such as Ganga, Sureja, Nareda, Kali &c. would fill volumes; we will now examine briefly the philosophy of the Hindu Schools adduced from this motley assemblage of idol gods; 'their idols are silver and gold the work of men's hands. They have mouths, but they speak not; eyes have they, but they see not. They have ears, but they hear not; noses have they, but they smell not; they have hands, but they handle not; feet have they, but they walk not; neither speak they through their throat; they that make them are like unto them; so is every one that trusteth in them.'

'There is only one God, Brahma, omnipotent, eternal, omnipresent, the great soul, of which all other gods, are but parts'; thus begins the Vedas, the Bible of the Hindus, and on this doctrine is based the whole of the religion of the Brahminical priesthood; they firmly believe in the immortality of the soul, a belief which places them far in advance of any other race of idolaters; the following quotation taken from the Vedas, proves without doubt that a nation holding the doctrine inculcated therein, could not have borrowed its tenets from the philosophers of either Greece or Rome; 'O Ruler! we wish to know how the soul is united with the body; how the world was created; how the soul comes into conjunction with the divine; what is the magnitude and measure of the universe, of the sun, the moon, the stars, and the earth; and what is the end of all?' Here are propositions, not philosophical like those stated by Cicero in his 'De Senectute' or in his 'Quæstiones Tusculanæ,' but still indicative of an anxious enquiry into a future state.

Brahminism is now divided into several branches, each of which has many sub-divisions.

The following are the three principal branches; 1st, Vedantism, so named after the Vedanta of Vyasa. It has few adherents, consisting of some philosophical Brahmins. Of the thousands of temples in India consecrated to various deities, only one is consecrated to this doctrine, in which Brahma is worshipped alone.

2nd, Vishnuism; this doctrine raises the second person of the

Hindu Triad (Vishnu) to the highest place, and adores his different avatars, together with a multitude of other deities, powers of nature, and mythical persons. Its professors are styled Vaishnavas.

3rd, Sivaism; this doctrine places the third person of the Hindu Triad (Siva) highest in the rank of the Gods. The professors of this doctrine call themselves Saivas and their number amounts to many millions more than the professors of Vishnuism. Although Seva is the God of Destruction, he is also the God of Production, considered with respect to the idea, which ever pervades the doctrine of Brahma, namely, that death is but the re-commencement of a new life.

The Hindu system of Philosophy termed Sankhya, was apparently the earliest of all the systems that preceded the really Philosophic age of the Hindu Schools. Its author is said to have been Kapila, who is asserted to have been a son of Brahmá, and an incarnation of Vishnu; he is numbered among the seven great saints, and many marvels are ascribed to him. While using Vedic notions, he in the main departed from Vedic theories, and in all important particulars comes to conclusions diametrically opposed to what the Vedas teach.

The Sankhya system contains two grand divisions, which differ on the vital question of the existence of a God; one is termed the 'Seswara Sankhya' that which owns a God; the other is called 'Nirishwara Sankhya' or that which denies the very existence of a God; the latter was Kapila's system; a system at that time entirely new, it taught that there were two primary agencies, 'nature or matter' and 'Souls'; but that there was no 'supreme being.' He asserts as follows; 'Souls have existed in multitudes from eternity, by their side stands nature or matter; for eternal ages the two remained separate; at length they became united, and the universe in all its forms was developed from their union.'

The object of the Sankhya, as well as of the other branches of Hindu Philosophy, is the removal of human pain by the final and complete liberation of the individual soul. The Sankhya system has twenty-five principles to which the soul must apply itself as objects of knowledge, and in respect to which true wisdom is to be acquired. They are;

1st.—Nature, termed 'Pradhan' or chief, from being the universal material cause, the prime cause of all things.

2nd. Intelligence, the first product of nature, increate, prolific, itself productive of others.

3rd. Self-consciousness, its peculiar function is the recognition

of the Soul in its various states ; it is the product of Intelligence, and itself produces.

4th.—8th. Five principles, subtle particles or atoms of things. These are imperceptible to the gross senses of human beings, but may be known by superior intelligence ; then follow—

9th.—19th. The organs of sense and action, of which ten are external and one is internal. The organs of sense are five, the organs of action are five. The mind serves both for sense and action.

20th.—24th are five elements produced from the five subtle particles ;

1st, Ether, this has the property of audibleness, being the instrument of sound.

2nd, Air which has two properties ; it is audible, and it can also be touched.

3rd, Fire ; this has three properties, audibility, tangibility, and colour.

4th, Water ; possessed of four properties, audibility, tangibility, colour and taste.

5th, Earth ; possessed of five properties, audibility, tangibility, colour, taste and smell.

25th. The last principle is Soul : like nature it is not produced but is eternal, but unlike nature it produces nothing from itself ; it is multitudinous, individual, sensitive, eternal, immaterial.

The great error then that lies at the root of this Sankhya system is, that the products of matter and mind are blended and confounded together.

The next system is that attributed to Gautama, namely, the Nyaya system, which considers by means of subtle and logical argument, the true mode of inquiring after Truth ; and has surveyed the whole field of this argument more exactly and completely than any other of the Hindu systems.

The first inquiry of this system is 'what is the way to attain perfect beatitude ?' and the answer given is 'That that deliverance is only to be secured by a knowledge of the Truth.'

It then proceeds to examine what instruments are best adapted for the acquisition of that deliverance, and comes to the conclusion that they are four in number, namely, perception, inference, comparison and testimony.

It then minutely examines the various objects of knowledge, which are required to be proved and known ; which objects are twelve in number : soul, body, sense, object, knowledge, the mind, activity, fault, transmigration, fruit, pain and beatitude.

We now come to the Vedantic system, which makes its

appearance in three stages of development. The germs of this philosophy and even its principal doctrines are contained in the *Brahmanas* of the Vedas; then it is seen in a more complete form in the *Sutras* of Vyasa; and lastly, this philosophy is recorded in the great commentaries which eminent scholars have written upon the original authorities.

The voice of Hindu antiquity ascribes the origin of the Vedantic system to the sage Badarayan, otherwise named Veda-Vyasa. The manner of his birth is thus described in one of the works attributed to him, 'the Mahabharat'; 'His father Parasana Muni, struck with the beauty of a fisherman's daughter on the banks of the Yamuna, conveyed her to an island in the river, which he produced for her residence; and there a son was born to them; from his birth-place, and his dark complexion, he was called "Krishna-dwaipayana" "the dark islander." From the time of his birth he became, like Yajñawalkya, and other great scholars, an ascetic in the woods. All his time was spent in the practice of religious austerities, and in meditation on religious subjects.'

'By the force of his meditations, Vyasa attained astounding wisdom, and prepared within his mind an immense array of Hindu learning, as he was reflecting on a proper person to aid him in writing it down Brahmā appeared, and advised Ganesa to be sent for. The God of Wisdom therefore became his Secretary, and amongst the works which he dictated, forth came the Mahabharat.'

The Vedanta has one great advantage over all the other systems of Hindu Philosophy, in that it is able to appeal for its authority to another class of works more ancient than the *Sutras*, and forming a part of the Vedas, the sacred testimony of the Hindu belief.

'The name Vedānta,' says the Vedanta Sar, 'applies to the arguments of the Upanishads, also to the Saririk Sastras, and other shastras auxiliary thereto,' it is also defined 'as the system by which may be obtained the knowledge of Brahma.' The aim of the system is to show the unity between the sentient souls of individual men, and Brahma, the great soul in its pure state. There are three classes of passages contained in the various Vedantic authorities, which teach the perfect identity between Brahma and the universe; that is the doctrine of Pantheism; numerous passages and expressions most strongly imply it, and numerous illustrations are employed to explain it.

The doctrine of Pantheism is directly taught in passages such as the following; 'Brahma is the substance of the universe; for so the propositions in the Vedas, and their illustrations require'



(Sutras 1, 4, 23). 'Nothing exists but He' (Sutras 3, 2, 29). 'I am the sacrifice; I am the worship; I am the drug; I am the incantation; I am the fire; I am the incense;' (Gita 1X) 'Fire is that original cause; the sun is that; so is air; so is the moon; such is that pure Brahma; and those waters; and Prajapati—it is he who is in the womb; he who is born; and he who will be produced.'

Such then is a brief sketch of the principal Philosophical systems of the Hindu Schools; systems that confound mind with matter, that at one time surround the Deity with beatific honours; and at another bring him lower than the works of his own creative power; let us cursorily glance at the errors taught by these wide-spread, and ancient systems.

In the Sankhya system we have five Doctrines. 'The denial of the existence of a God;' this fact of the Sankhya belief is argued most logically, and in strict accordance with the most approved method of modern secularism, namely, the doubting the sufficiency of evidence which is offered to prove His existence.

'Matter is eternal in man,' all realities by the Sankhya doctrine are included, as before stated, within twenty-five principles, of which twenty-four, not including Soul, as that stands apart from all the rest, are reducible to one, and that one is intellect, but intellect is traced up to nature, therefore nature is eternal. 'From the want of a root in a root, the root of all is rootless.' This then is the end of the Sankhya system, but it is further added, 'even if there be a succession of causes there is a halt, at some one point; and so it is merely a name;' but this *'one point'* of this system is nature or matter, which therefore is the root of all.

'Soul is eternal,' 'Soul is distinct from body, and from Nature, for it does not possess the three qualities, by which they are marked in all their forms' (Sutra 142) 'Soul superintends nature' (Sutra 143) 'Soul is the enjoyer of every thing' (Sutra 144) 'Since light does not pertain to the unintelligent, it must pertain to the essence of Soul; which while self-manifesting, manifests also whatever else is perceptible' (Sutra 146). 'There cannot be liberation where there is alteration; and alteration must take place where there are qualities and susceptibilities.' But the Soul, according to this doctrine, is devoid of qualities, so it has no alteration, therefore it is free; but it advocates Soul not as one single object, or attribute, but as multitudinous. 'It is absurd,' says Kapila 'to think that Souls can be one;' and again in Sutra 150; 'From the several allotments

‘of birth and death, a multiplicity of Souls is to be inferred.’

‘Transmigration of Souls;’ the fact of Transmigration none of the systems dispute, it is allowed by all; ‘as a man casts off his old garments, and puts on new ones, so the soul having left its old mortal frame, enters into another which is new.’ ‘One Soul, and not another, is born, there may be various unions of one Soul, according to the difference of receptacle; as the ether may be confined in a variety of vessels.’ ‘Life is the combination of Soul with the pains incident to the body, not any modification of the Soul itself; Death is the abandonment of those bodies, not the destruction of the Soul.’ The Soul remains unchanged through all its migrations into various forms, until its final liberation; it is the disguise which is changed, not the agent who wears it.’ This doctrine of metempsychosis seems to have been very wide-spread in both the Grecian and Latin Schools of Philosophy; the Egyptians, the Pythagoreans, the Platonists, all held the doctrine of the migration of the Soul among various bodies; Horace in allusion to the current story of Pythagoras and Empedocles thus writes, first in Book I. Ode 28.

‘Te maris, et terræ numeroque carentis Arenæ

‘Mensorem cohibent, Archyta,

‘Pulveris exigui prope litus parva Matinum

‘Munera; nec quicquam tibi prodest

‘Aërias tentasse domos, animoque rotundum

‘Percurrisse polum, morituro.

‘Occidit, et Pelopis genitor, conviva decorum;

‘Tithonusque remotus in auras,

‘Et Jovis arcemis Minos admissus: habentque

‘Tartara Panthoiden, iterum Orco

‘Demissum; quamvis clypeo Trojana refixo

‘Tempora testatus, nihil ultra

‘Nervos, atque eulem morti concesserat atræ.

and again in the Epistles Book I. 12.

‘Empedocles, an Stertinium deliret acumen’

‘Verum seu piaces, seu porrum, et cæpe trucidas,

‘Utere Pompeio Grospho.’

• ‘The doctrine of Fate.’ This doctrine attributes all the pain, the gloom, the misery and the happiness of human life, to the connection of Soul with nature; and all these feelings it asserts are the natural offspring of tendencies of things, of the dispositions with which the individuals have been endowed; moreover that these dispositions originated with the creation, or more strictly speaking, with the first structure of the subtile bodies

from nature; therefore, by this mode of reasoning it is clearly established, that all the misery or happiness, and the conduct of each individual Soul has resulted naturally and from necessity by means of these innate dispositions; this then is the basis of the doctrine of Fatalism; a fatalism devoid of a ruling power, inasmuch as the Sankhya philosophy denies the existence of a god; a fatalism that rules by necessity the souls of Creator, and created; this doctrine was also held by the ancients, we may in support of this quote the following lines of Virgil, *Æneid* Book II. 650:

‘ Talia perstabat memorans, fixusque manebat.  
 ‘ Nos contra effusi lacrymis, conjuxque Creusa,  
 ‘ Ascaniusque, omnisque domus, ne vertere secum  
 ‘ Cuncta pater, fatusque urgenti incumbere vellet.  
 ‘ Abnegat, inceptoque et sedibus hæret in isdem.’

In the Vedantic System we also have five doctrines; three of which are the same as those already referred to in the Sankhya system; namely, ‘Soul is eternal;’ ‘the doctrine of Transmigration;’ ‘the doctrine of fate;’ the remaining two are—

1st, ‘God is identical with matter,’ or ‘the whole universe is Brahma.’ ‘This spirit is every where; he is in the heavens; he is in the wind; he is Agni; he is in the earth; he is in the Soma Juice; he is in the pitcher of the Sacrifice; he is in men; he is in the Gods; he is in the ether; he is the productions of, the water; he is the productions of earth; he is Om; he is the productions of mountains; he is unchangeable and vast;’ (*Katha* v. 2)

‘He is the ear of the ear; the mind of the mind; the speech of speech; the life of life; the eye of the eye. (*Tal.* 2)

‘He dwells in all space. He pervades the mind, and rules over life and body; he is in the body close to the heart.’ ‘The perfect one with a thousand heads, a thousand eyes, and a thousand feet; pervades the earth and the illimitable universe.’ ‘On me is the universe suspended like pearls on a string.’ (*Gita*, VII) All these illustrations bring us to the end of this doctrine, namely, that the author of creation (Brahma) is of the same substance, as the substance and material of his creation, or, in other words, it is the doctrine of Pantheism.

2nd, ‘God is identical with the Human Soul’ or, ‘the human soul is Brahma.’

One of the most striking modes in which this doctrine has been laid down, is in the following passage taken from the *Bṛihad-aranyaka*; ‘Man is indeed like to a lofty tree; his hairs are the

‘leaves, and his skin the bark. From his skin flows blood, like juice from the bark; it issues from his wounded person like juice from a stricken tree. His flesh is the inner bark, and the membrane, near the bones, is the white substance of the wood. If then a felled tree spring anew from the root, from what root does mortal man grow again, when hewn down by death?’ That root by means of very deep and logical reasoning is shown to be *Brahma*.

In the *Artureya*, we have a full description as to the manner in which *Brahma* entered the Human Body, in order to make it his abode. After a long and not at all uninteresting dissertation aiming to show how it was that he could not enter by any of the natural openings of the body, it is asserted as a fact that admits of no doubt whatever, that he entered by one of the joints of the plates in the skull, descended an artery, and took up his abode in the heart; his size, being made to correspond with the dwelling, is stated to be the size of a man’s thumb. ‘The perfect one of the size of a thumb only, abides in the centre of the Soul.’ It naturally follows therefore that the soul in which *Brahma* is enthroned must partake of his divine attributes. ‘That soul is without faults; devoid of old age; without death; without sorrow; without hunger and thirst; true in its desires; true in its will.’

‘It is not born, neither does it die; it has not proceeded from any; nor has it been changed into any; nor does it perish when the body dies.’

‘It is constant, capable of going anywhere, immovable, eternal; it is inconceivable, invisible, unalterable. The sword cannot cleave it; fire burns it not; water cannot wet it; the wind drieth it not away.’ The belief of a divine origin, in one mode or other, for human souls, is in Greek Philosophy almost universal.

In the *Nyaya* system we have three doctrines set forth; two of which doctrines are the same as those already stated in the *Sankhya* and *Vedantic* systems, namely, ‘Soul is eternal,’ and ‘The doctrine of transmigration of Souls’; the remaining one is, ‘Matter is eternal in atoms’. The definition of an atom, as given by *Kanāda*, the founder of this system, is ‘something existing without a cause; without beginning and end; it is contrary to what has a measure’. All objects and products are traced back to nine substances; Time, space, soul, and mind; ether, air, earth, fire, and water; of earth it is said, ‘earth, is the cause of odours, and is the site of various colors. It has three kinds of feel; hot, cold, and temperate. It is two-fold,

'eternal and non-eternal; eternal as considered in its atoms; non-eternal as being composed of parts.'

All aqueous compounds, snow, hail, and rivers; all compounds of light, fire, and gold; are said to have an atomic origin, and their atoms are eternal.

Mr. Colebrooke gives the following Sketch of the atomic argument of Kanáda; 'The mote in a sunbeam is the smallest perceptible quantity. It is a substance—an effect; and is therefore made from something less than itself. This something is also an effect, and is a substance. It is composed of something smaller, and that smaller thing is an atom. It is simple, else the series would be endless. If so, every thing, great and small, would contain an infinity of particles; and all would therefore be alike. The first compound consists of two atoms. One cannot form a compound, and there is no argument to prove more than two. The next consists of three double atoms. If only two were joined, magnitude would not result; since that can consist only from the number or size of the particles. It cannot be size, since they are atoms; it must be number. There is no argument for four because three such double atoms are sufficient. The atom then is equal to one sixth of the mote of a sunbeam. Two earthy atoms brought together by some cause (the will of God, time and the like) make one double atom. Three double atoms equal one tertiary atom. Four tertiary atoms make one quaternary; and so on; thus it is by aggregation that the gross earth is produced. In like manner, from aqueous atoms come forth, by aggregation, all watery substances, organs and organisms. So also from the atoms of light and air, the compounds classed among them. Pressure and velocity produce an union of the integrant elements. Disjunction separates them; and as by aggregation substances are formed, so by disjunction they are broken up, and return inversely to the original atoms. The qualities of the original atoms attend them in the compound substances, and it is from them, that the compounds derive the qualities which they possess.'

Such then is a brief sketch of the chief errors that lie at the root of the Philosophy of the Hindu schools; errors that have blinded the eyes of both the priesthood and the people, to the glorious revelation of Truth; errors that are grounded on the sayings of fallible men, founded on the traditions of by-gone ages, and veiled in superstition and idolatry. But how strongly must that error be rooted in the minds of the millions of India, when after the lapse of ages, after numerous contests with spiritual and temporal powers, we find that the number of those whose

eyes have been opened, from whose hearts has been torn the veil of sensuality and vice, is as nothing.

Will the Hindu ever believe the Truth? or will he still continue, notwithstanding the enlightenment of the present age, to bow down to his images of wood and stone? will he ever remain the slave of sensuality and vice, the mere tool of a priesthood whose livelihood is gained by the propagation of the deadliest and foulest falsehood? The solution of these questions is beyond our province. But we fear that the result, so far, of the admission of Truth into the benighted mind of the Hindu is but too truly depicted in the following words. 'I cannot deny the force of your arguments, Satyakama, and yet I am far from being convinced. The result of our conferences hitherto has been to weaken the foundations of human belief, and foster a spirit of universal scepticism. There must be a grave error somewhere in all this. To disprove a certain position is not to find out the truth. And if there be no truth in the texts of the Vedas, or the aphorisms of philosophers, where are we to go in search of it? The characteristic of righteous men is to set forth *Faith*, as the poet says, and not scepticism. Our studies, speculations and discussions cannot be considered successful, if they end in the conclusion that there is no truth in the world. Our faculty of reason could never have been granted by the Almighty for that; it is doubtless intended to put us in possession of some definite and positive truth, to discover His will in nature and in His word; for it is preposterous to think of discovering His will for all practical purposes *without* His word. Surely He could not have left us in the dark, destitute of a revelation of His will. Like yourself, I find it difficult to believe that He would be deliberately deluding us by the projection of an illusion. But I cannot, on the other hand, understand that He would leave us without an *āgama*, or revelation, to follow our own bewildering reason in things beyond its range, and thus in another way, consign us to inevitable delusions. Hence my still cleaving to the hope that the Vedas may contain His word, notwithstanding all you have said. We must have something on which to repose our faith, or our minds must be tossed to and fro by the waves of doubt and disputation, like a boat without a rudder on stormy waters. I cannot say that our conferences have at all tended to the discovery of that *something*.\*

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\* Banerjee's Dialogues on Hindu Philosophy.

**Ann. VIII.—Resolution regarding the Sale of Waste Lands, and Redemption of the Land Revenue. Oct. 17th 1861.**

**I**F we could add promptitude and decision to the other attributes of Lord Canning we should have, in ordinary and peaceful times, but little to complain of and, perhaps, much to commend. Slow justice, when it might be speedy, is an active wrong, and wrongs of this description tarnish and rob of the grace, which would otherwise attach to them, nearly every act of Lord Canning's administration. Such opportunities—trying ones no doubt—have never fallen to the lot of any former Governor General, and three months ago he might have said he had missed them all. It was his misfortune to commence his rule in a strange land in troublous times, and had he gone away when they ceased he would have been known only as the man who stood calmly at the helm, while the crew in spite of the wheel having frequently turned the wrong way saved the great ship from foundering. To have been in a high position in a time of great danger, is a distinction of itself, and Lord Canning would have carried away no other had he quitted India in 1858. Fortunately for his fame the last two years of his rule fell in progressive times. He has suffered himself to be pushed forward, not with railway speed to be sure, but still forward, and he may now quit India without shame, if not with absolute satisfaction, leaving behind him perhaps more regret and esteem than we could have at one time deemed possible.

The Resolution of the 17th of Oct. last regarding the disposal of Waste Lands will, although it is not his own, and he has taken three years to consider it, associate the name of Lord Canning with the wisest, most liberal and comprehensive reform that India has yet seen. It is so wise and simple that the question may be reasonably enough asked why it was not done sooner. Lord Canning says, 'As regards the sale of Waste Lands, there can be no question of the substantial benefits both to India and to England which must follow the establishment of settlers who will introduce profitable and judicious cultivation into districts hitherto unreclaimed. His Excellency in Council looks for the best results to the people of India, wherever in such districts European settlers may find a climate in which they can live and occupy themselves without detriment to their health, and whe

‘they may direct such improvements as European capital, skill and enterprise can effect in the agriculture, communications and commerce of the surrounding country. He confidently expects that harmony of interests between permanent European settlers, and the half civilised tribes, by whom most of those waste districts or the country adjoining them are thinly peopled, will conduce to the material and moral improvement of large classes of the Queen’s Indian subjects, which for any such purposes have been long felt by the Government to be almost out of the reach of its ordinary agencies.’ There is not a word in the above which might not have been written with equal truth half a century ago, and if it had been then written and acted upon, we should have probably been spared the horrors of 1857, have had a surplus revenue, justice properly administered, roads and railways where we have now only the track of the wild beasts. Every sentence of Lord Canning’s Resolution is a condemnation of the policy which excluded the Englishman from the land which his fathers acquired by right of conquest—the only right if we go back a few centuries by which Englishmen hold England, or we shall make it more apparent, if we say Ireland. Ireland for the Irish is as wise and just a cry as India for the Indians, and by all means let the rights of both be respected. But have Englishmen ever been forbidden to purchase, drain, or otherwise improve a bog in Ireland lest the rights of the people should suffer?

The terms upon which Lord Canning offers the Waste Lands are generally liberal and fair, but their fairness and liberality are rendered more striking by contrast with the narrowness of the measure hitherto proposed than from any intrinsic generosity of their own. Such a Proclamation would have been received in any other of Her Majesty’s possessions with nothing more than the ordinary acknowledgements due to a simple act of common justice. It is only in India that justice is looked upon as a boon to which no claim can be established. The Australian will read with wonder the praise which has been so lavishly bestowed upon Lord Canning by the Indian Press, for granting to his countrymen in India a right which he has always possessed, and had scarcely experienced a sensation of gratitude for. Liberality and freedom are comparative—and we are not disposed to cavil at what we have now obtained because others have more and we should have had it sooner. There are to be no resummptions, no right of interference, no compulsory cultivation and (think of it ye ex-Directors, ye Civilians of the old school,) no visits from Collectors! Truly India is advancing when men are to be allowed to do what they like with their own land. Lord Canning says:—‘and as a



‘ general rule, and whatever may be the nature of the growth which covers the soil, His Excellency in Council would wish, in this as in all other matters, to leave it entirely to the owner’s judgment and self-interest to make the best of a grant, for which he has once for all paid a fair price to Government.’

Let us now see what Mr. Grant’s notions of fee-simple are. Rule VII, after stating the exact area of his own property, which a man is to be compelled by legislation to bring into a condition which shall yield him a profit, goes on as follows. That one eighth of the ground shall be cleared and rendered fit for cultivation by the expiration of the fifth year from the date of sale. That one fourth of the grant shall be cleared and rendered fit for cultivation by the expiration of the tenth year. That one half shall be cleared and rendered fit for cultivation in the twentieth year. That three fourths shall be cleared etc. by the end of the thirtieth year.—‘That on the failure of all or any of these four conditions, the fact of which failure shall after local enquiry conducted by the Collector or other Officer be finally determined by the Board of Revenue, such portion of the grant as shall remain uncleared shall be liable to forfeit, etc, etc. The Government reserves to itself the right of making and constructing such roads and bridges as may be necessary, \* \* \* and also to such timber, stone and other materials as may be required etc.’ Fee-simple with a vengeance! This is the last effort of the old service, and it is no doubt to the credit of Lord Canning that he has had the courage and the wisdom to set aside the policy of centuries. To Lord Stanley we believe the credit of originating this just measure is due, the details only being left to Lord Canning, and he has taken three years to arrange them. They have been received with more gratitude than appears necessary, for they are still incomplete. The limitation of the area is a useless elog, and we are almost disposed to believe that Mr. Grant must have obtained access to the drawer in which the Resolution was placed and inserted it on his own account. It is simply vexatious and useless, being easily evaded and in the case of large companies evasion will be a necessity, for three thousand acres will not give scope for the extensive cultivation of either Tea or Cotton. In Australia a very different system was adopted, and in order to encourage large purchases special privileges were allowed to the buyer of 20,000 acres, or as it was then called, a special survey. He was at liberty to point out his own boundaries and no competition was allowed as in the case of small lots of 80 to 100 acres. Lord Canning’s remarks are sufficiently undecided to leave

s a strong hope that with proper representation this objectionable restriction will be either altogether abandoned or at least modified to meet the wishes of the public. He says—'it will generally be safe to consult the wishes of intending applicants on this subject, when they are in numbers sufficient to give weight to their opinions, as to what general limitation is likely to be best for the general interests.'

The remedy would, from the above appear to be in the hands of those interested, and a petition might, if time permitted, be addressed with every chance of success to Lord Canning. His lordship has already been appealed to on the subject of the liberties taken with his Resolution by the various local Governments, especially those of Oude and the North West. The apprehensions entertained by holders of grants under the old Rules regarding the rates at which they will be allowed to commute, we believe to be groundless. It is feared that the higher rate of Rs. 5 per acre will be charged for all land cleared and rendered fit for cultivation at the time the commutation takes place. There can be no doubt that para. 29 of the Resolution refers to the state of the grant when it was first obtained, and not to the state to which the capital and energy of the grantee may have brought it. It is a curious comment upon the estimation in which the Government is held that the supposed intention to commit such a manifest injustice should have been credited for a moment, and shows that the feeling of distrust has not yet passed away.

The permission to redeem by one payment the land Revenue is a measure which, if generally availed of, would for ever ensure the loyalty of the Zemindars. Their interests would be so bound up with ours that the permanence of our rule would be the one thing needful to their existence as landholders, and we should have nothing to fear. With a diminished native army and a Revenue paid a quarter of a century in advance, we might depend upon twenty-five years of unswerving loyalty on the part of the influential classes. It is a new measure, but we fear it will not be availed of to any great extent. Payment before it is compulsory is especially abhorrent to a native, and we doubt if even exemption from the interference of the hated Collector or the abolition of the dreaded *Kist* day will prevail. Apart from the fact that the native generally prefers the present to the future, there are many causes which will operate to prevent the attempt to any great extent. Many zemindars are poor and in debt, and it will be impossible for them to borrow at the rate allowed by Government, viz., twenty years' purchase. It is also very doubtful if their faith in the stability of our

rule is sufficiently great. While the tax was only a percentage upon the yield of the land, it mattered little to whom it was paid, whether to the King of Delhi or the English Government, but a tax once redeemed in the manner proposed, is a virtual entering into partnership with a Government which, we doubt not, many deem, if not absolutely bankrupt, at least very unstable. That such a belief should be common amongst the natives of India need excite no wonder, for it has been freely discussed in the English Parliament and the Press, and it has more than once been suggested that we might do worse than abandon a country which has, it is alleged, frequently proved a source of weakness and not of strength.

The inconsistency, to say nothing of the injustice, of allowing Native and other Uncovenanted officials the privilege of holding land, while the same liberty was denied to the higher and generally more honourable covenanted officer, has been often pointed out. The Native Judge may and frequently does purchase large tracts of land in the district in which he holds office, while his superior in every sense of the word, the English judge, is forbidden to purchase or hold in his own name so much as the garden or compound that surrounds his house. This rule was only relaxed after death when the Judge or Commissioner might share, to an extent proportioned to his size, in the permanent settlement of the nearest church-yard. The recent order on the subject is practically worthless. We want that the men, who make the laws and administer them, shall have an interest in their utility and applicability, which can only be obtained by giving them, or allowing them to acquire, property which shall be affected beneficially or otherwise according as they are good or bad, or as they are well or ill administered. If the Bengal civilians were to divide Madras and Bombay Presidencies between them, it would give them no interest in the improvement of Bengal. They would have no motive beyond the motive of doing their duty, and, giving them credit for the most scrupulous conscientiousness on this point, we know that human nature is weak, and that in all probability if Mr. Grant had been the owner of two three Factories in Jessore we should have had no Indigo crisis, and far less injustice than has been perpetrated during the last two years in the Indigo districts. The qualification for the Directorship in any company is the possession of a goodly number of shares, and it is a wise one. The Civilian has no shares, and there are no roads, in Bengal. If the Civilian had been a shareholder we should never have had a law\* virtually depriving

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\* Act X of 1859.

the Zemindar of all right or title to his land if he had been foolish or good natured enough to allow a Ryot to occupy it for twelve years without disputing the right of occupancy or raising his rent. Let the Civilian and the Law-makers have an interest in the land and the Commerce of India, and we shall then hope for suitable laws and not till then.



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10th. The following is an extract of the Rates of premium for an Assurance of Company's Rupees One Thousand:—

AGE.	MILITARY.											
	ONE YEAR.			THREE YEARS.			FIVE YEARS.			SEVEN YEARS.		
	Half-yearly.			Half-yearly.			Half-yearly.			Half-yearly.		
	Rs.	As.	Rs.	As.	Rs.	As.	Rs.	As.	Rs.	As.	Rs.	As.
20	13	0	6	8	13	8	6	12	14	0	7	0
30	16	0	8	0	16	0	8	0	16	8	17	0
40	19	8	9	12	20	0	10	0	20	0	10	0
50	22	8	11	4	23	0	11	8	23	8	11	12
											24	0

AGE.	CIVIL.											
	ONE YEAR.			THREE YEARS.			FIVE YEARS.			SEVEN YEARS.		
	Half-yearly.			Half-yearly.			Half-yearly.			Half-yearly.		
	Rs.	As.	Rs.	As.	Rs.	As.	Rs.	As.	Rs.	As.	Rs.	As.
20	11	0	5	8	11	8	5	12	12	0	6	0
30	13	8	6	12	14	0	7	0	14	0	14	8
40	16	0	8	0	16	0	8	0	16	8	17	4
50	19	0	9	8	20	0	10	0	20	0	21	8
											21	8

Intermediate Ages in Proportion.

Following is an extract of **WHOLE LIFE rates.**

AGE.	MILITARY OR NAVAL.											
	WITH PROFITS.			WITHOUT PROFITS.			ANNUAL ENGLISH RATES.					
	Half-yearly.			Quarterly.			Half-yearly.			Quarterly.		
	Rs.	As.	Rs.	As.	Rs.	As.	Rs.	As.	Rs.	As.	Rs.	As.
20	23	8	11	12	18	0	9	0	1	18	8	0
30	27	0	13	8	22	8	11	4	2	8	10	0
40	31	8	15	12	26	8	13	4	3	3	0	0
50	35	8	19	4	32	0	16	0	4	6	6	6

AGE.	CIVIL.											
	WITH PROFITS.			WITHOUT PROFITS.			Quarterly.			Quarterly.		
	Half-yearly.			Half-yearly.			Half-yearly.			Half-yearly.		
	Rs.	As.	Rs.	As.	Rs.	As.	Rs.	As.	Rs.	As.	Rs.	As.
20	21	0	10	8	16	0	8	0	8	0	8	0
30	24	0	12	0	19	8	9	12	12	4	12	4
40	28	8	14	12	24	8	12	8	15	8	15	8
50	37	0	18	8	31	0	15	8	15	8	15	8

11th. On return of an Insurer to Europe, either for a temporary or permanent residence, and without reference to the state of health, subject, however, to notice being given at the London Office, the Premium is reduced to the English rate, corresponding with the age when the Assurance was originally effected, and in the case of participating Policies the profits are allowed on the English rate of Premium, whereby Indian Assurers can continue their Policies in England on most favorable terms.

12th. Military Officers holding Civil appointments are allowed to subscribe at the Civil rate of premium, on notice being given to the Agents of the Society.

13th. Premiums are payable either annually, half-yearly or quarterly, and on certain conditions monthly, and a grace of 28 days is allowed for such payments, and claims are paid should death occur within that period. Policies can be revived within three months after the premium has become due on proof of health and payment of fine, and within six months at the discretion of the Board.

14th. Policies for the whole term of life, which have been in force for the full period of five years, will be purchased by the Society, or loans granted thereon to the extent of two-thirds of their estimated value.

15th. Medical referees are remunerated by the Society by a fee of *Sixteen Rupees* on proposals for assurances not under Co.'s Rs. 2,500 :—but for any less sum the fee to be settled by the applicant.

16th. At the period of the last annual Valuation, the Assets of the Society were ascertained to be upwards of £743,000. The amount of Policies in force about £2,200,000, and the annual Income upwards of £120,000.

Tables of Rates, Forms and Instructions for effecting Assurances, can be obtained on application to the Secretaries in Calcutta, or to the Local Director at Allahabad, or to any of the Agents of the Society.

BRADDON AND Co.,

CALCUTTA, No. 14, STRAND, }  
December, 1860.

Agents and Secretaries.

# CALCUTTA REVIEW.

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THE  
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ART. I.—*The Bengal Gradation List, 1860.*

THE removal of the quasi-empire of the Court of Directors, a Board which stood so long between British Empire and British India, has given to the people of Britain an uninterrupted view of the people of India, for whose welfare they are now directly responsible. And, although Parliament may still turn a deaf ear to any one, who endeavours to check profligate jobbing on the part of whig Secretaries of State, yet there are not wanting indications that the habitual good feeling and sense of duty of JOHN BULL will lead him, ere long, to turn his attention to the management of the fine, but embarrassed estate which he has inherited from JOHN COMPANY. The servants who acquired and managed the estate referred to, will, very naturally, be taken to task pretty closely for any shortcomings on their part which may have injured the tenants, or affected the amount of the rents. It may, ultimately, be found, that they have for the most part done their work well and wisely, unless overborne by interference from the Great House; but it may also be thought that they had become fat and lazy on high pay, and a too hereditary routine of succession and promotion.

At any rate the Indian Civil Service is likely to undergo some amount of change, and three plans present their claims to attention.

1st. Do away with the Monopoly as regards the "Uncovenanted," *i. e.* let every man in the service of the Indian Government hold any office; this has been partly done in Oudh and the Punjab.

2nd. Do away with the Monopoly altogether, and let Candidates, either from England or from any other part of the Empire, be appointed to Civil posts in India, as to Consulships and Colonial posts.

3rd. Retain the Monopoly, with or without modifications, as regards the administrative service; but give purely judicial posts to trained Lawyers.

MARCH 1861.

B

1st. There are Indian officials here and there, whose exclusion from a full career is as bad for the public as for themselves. These should be treated like deserving non-commissioned officers in the army; presented with covenants. This was recommended by Mr. H. Ricketts, a Member of the Civil Service, who had largely studied the subject.

2nd. The complete destruction of administrative Monopoly is the plan which has most arguments (of an abstract kind) in its favor; and which is the most open to practical objections. Indian administration is as much a profession as Medicine or Law; its practice therefore equally demands a diploma for the protection of the public. Whenever an inefficient diplomat-holder finds his way into the profession, by all means let him be discouraged and sparingly employed; but you gain nothing by allowing uncertificated persons to be inflicted on an unprotected public, at the caprice of men in power, either here or at Home.

3rd. The chief complaints against the present servants are on judicial grounds, and they are, in this respect, tried in a way no body of men could stand. No one denies that they are courageous, energetic rulers; many of them benevolent; and a large proportion efficient in a way that may be rough, but is not unsuited to rough duties. But, partly through the action of the Legislature,\* and partly through the customs of a people long inured to despotism, and prone to seek in litigation the exercise of enmity denied to open force, the Magistrates of India have become vested with a far too large amount of equitable jurisdiction, over the persons and property of the people. If a man is ousted from land, or deprived of his wife by a seducer, or if his servants leave him, or his labourers fail in their engagements; instead of suing for damages in a Civil Court, he comes before the *Hakim*, ("the protector of the poor," &c.) and prays that there may be an injunction issued for the fulfilment of the contract. Now it is obvious that this system is easily abused. Those who are most anxious to obtain an injunction from a foreigner, living at a distance from the scene, and immersed in much of the business which in England is shared between the Parson, the Squire, the Poor Law Guardian, the Land Bailiff, the Trustee of Roads, and the Sheriff of the County; those will not be always the men who have a real grievance. When it is also remembered that the people have a strong social organisation of their own, and that the method of redress by caste arbitration is an ancient institution of the Country, there will be no difficulty in understanding, that the desire to injure an enemy may as often influence the Plaintiff on the

\* Act VII of 1819, IV of 1840 &c.

Magistrate's "Miscellaneous File," as a real sense of wrong. That description of Plaintiff, who passes by the public opinion of his village or his brotherhood to refer to a remote alien, is either wrong or an unusually oppressed individual. In the infant constitution of the Punjab, the ignorant impartiality of the European officer was united with the better information of the less trusted Panchayat; and the Magistrate was at liberty, either to arbitrate a case himself or to call in the aid of local opinion. This appears an excellent theory: if it does not work well in practice, the only alternative certainly appears to be, to take all judicial power, not of a purely correctional character, from the administrative department, and vest it entirely in the hands of men especially trained and selected for the Bench. That all these officers should be Barristers is not likely, though the proposal is not a wonderful one, considering that the agitation had its origin in Calcutta, where the learned Supreme Court Bar has always produced very active contributors, both to the speech making at Calcutta meetings, and to the leading articles of the Calcutta Newspapers. There is no peculiar divinity hedging the character of a Barrister, who may be as ignorant as any Layman. And seeing that the codes of India differ and are likely to differ from the barbarous congenies of precept and precedent—Bentham's "Grangribber"—which the forensic hierarchy contrives to hold together in England, it does not appear why English Barristers, even from the Supreme Court, should enjoy any peculiar claims as of right, to seats on the Indian Bench. Moreover it is only the higher posts which would offer much inducement to men of that class, unless indeed we are to be inundated with the whole of the worthless and the briefless of the British Bar. The correct theory would undoubtedly be, to let the Pleaders of the united Courts, which are now understood to be on the eve of formation, have the right to the lower appointments, the holders of these being gradually promoted to the higher.

The administrative service must always be, in practice, a distinct profession. How the selections are to be made for it will greatly depend upon *whether India is to be a colony or not*. This is not a question of what is desirable, but of what is feasible. If it is possible to make India a *Colony*, it is no doubt desirable that her affairs should be administered on a colonial plan; but obviously all objections to the present system, on the score of its being ill-suited to a Colony, are the merest begging of the question. The existing system is historically known to be founded on the opposite theory. Into whatever extremes the policy of the

Court of Directors may at any time have led them, and whatever reproaches may be brought against them for the discouragements they offered to Christianity, or to immigration of Europeans; whatever preference they may have given in the lower grades of their service to Asiatics, or whatever privileges they may have attached to the class of Europeans who filled the superior offices; the whole is referable to the feeling that India was a foreign *Dependency*, occupied by tribes possessing each a civilisation and a religion of its own, in whose interest it was to be ruled by whomsoever the trust might be reposed in. Thus arose the principle of native administration and European control; and though it is not difficult to amass proofs that the former has been corrupt and the latter lax, yet it will be premature to dwell on that until you have proved, either that a *Dependency* of the sort described can be otherwise ruled, or else that colonisation is feasible. The burthen of proof as regards the latter point, at least, is clearly laid on those who impugn existing results. To such as, in spite of all the evidence, hold that Englishmen can colonise a tropical country, densely peopled by races in legal possession of every foot of land, and whose frugality and acclimation enables each of their members to live on one-third of what is required for the support of an Englishman of corresponding position, it is sufficient to say, "Come and try." No one now keeps them out; it is absurd to say that the state of the Courts or the feeling of the authorities deters them; for instances can be shown all over India, and in Countries far more despotically governed, of Englishmen who make large fortunes and reside in peace. Assuming then that colonisation, on a large scale, and in the strict sense of the word, is impossible, we have the simple question left; can a foreign *Dependency* be fairly and beneficially ruled by England, unless the indigenous residents play a large part in the administration; and unless the superior morality and political science, of which she is supposed to be the depositary, be constantly infused into that administration, by the control of carefully selected and largely trusted Englishmen.

Two important observations may, no doubt, be made, one upon each branch of this question. It may be said that Asiatic underlings are apt to be corrupt and tyrannical. It may also be said, that the Members of the Civil Service, though better selected now than formerly, still fail in Anglicising the administration. But there is no system in this imperfect world to which similar objections may not be made: pessimism is as bad as optimism; the MORAL of faults being proved against an established working system is, that *they* should be removed, not the system, for

which you have no proved substitute. Granting that there is considerable force in each observation, their united weight will not prove that the system must be destroyed; it is the very foppery of politics to require abstract perfection, and object to every thing existing, merely because it is capable of improvement.

The few thousands of Planters and Merchants, Barristers and Attorneys, Wine dealers and Italian ware-housemen, who find it profitable to pursue their respective and respectable callings in this Country, are not justly entitled to be considered "the Public of India;" nor can the Newspapers, conducted with various ability, for their amusement, be justly treated as its "Press." The administration of India, if such authorities are to be consulted, should be carried on through the medium of Europeans, exclusively or almost so. We have already endeavoured to see how far this would be just to the people of the Country, in whose interest it is assumed that we are to rule. (And this, even supposing that the service would attract a sufficient number of qualified Europeans.) If, on the contrary, we could obtain genuine native Public opinion, (the opinion of the educated classes is what is usually understood by the term,) we should assuredly find that the exclusion of natives from the posts of greatest power and rank would be very severely felt as a grievance. The present system steers a middle path between the two. Its object is to give to the educated native a fair career in the public service, for which he is so well fitted by intimate knowledge of the dialects and institutions of the masses; while to the latter it gives such protection against the corruptibility and the openness to prejudice and partiality which must adhere to a native official, as may be afforded by the supervision of a carefully selected class of chief officers, whose appointments, though costing the state but little in the aggregate from their numerical paucity, are yet sufficiently valuable to those who hold them, to call forth their best intellectual and moral energies.

Of all the opponents of this system the ablest and most consistent is the present editor of the *Hurkaru*. This writer, in his issue of the 27th October 1860, had an article, which, though containing many assertions from which we dissent, is terminated by a very sensible proposal: we refer chiefly to the following words; "If the Government desire that its work should be done as well as it is at Home they" (Query "it"?) "must recognise the \* \* \* \* division of labour, and make allowances for natural differences of talent and that aptitude which is the fruit of experience. A civilian of the present day is a Jack of all trades, and consequently

botches every work entrusted to him. \* \* \* Under the present system before any official can make himself acquainted with his ordinary duties in one department he is removed to another, the duties of which are as dissimilar as those of a Physician and a Stock Broker. But if it were understood that in future officials would be confined to that department for the work of which they showed a particular aptitude, men would be encouraged to make themselves thoroughly acquainted with what was to be henceforth the business of their lives."

Now the assumption, that no division of labour is attempted by the Government, appears to us an exaggeration. On the frontier we have the brilliant Military Governors of whom so many have made their names household words wherever the English language is spoken. Sir H. Lawrence, Sir H. Edwards, and General Nicholson were never to our knowledge, offered the post of Sudder Judge or Financial Secretary, and the Magistrates and Collectors of the North Western Provinces usually spend twenty years in the administrative branch of the Service, and even when made Judges it is mainly for correctional purposes; there is however too much foundation for the Hurkaru's strictures as contained in our extract; and all attempts that are made to reform the Civil administration of British India should proceed in the direction indicated therein. At the commencement of these remarks, for instance, it was shown that India not being at present a Colony, ought not to be treated on Colonial principles. But on the other hand there are parts of India, few and of small area, which are essentially colonial. Those which are most conspicuously so, are the Presidency towns, and there, to a considerable extent, colonial methods already exist. Similarly, in all towns where there is a seat of Government there might be a small *cordon*, within which English laws should be administered in Criminal and Civil cases by trained lawyers. But this remedy of "trained lawyers" is no *panacea*. What would be the use of a trained lawyer among the tribes of the Khyber, or even in the Sonthal Pergunnahs, where almost every dispute is about a boundary or a herd of cattle, susceptible of ready arbitration by an honest man of local experience, utterly unintelligible to an ordinary foreigner whatever be his legal acumen? That is to say, the management of a rude tribe requires qualifications differing from those needed to decide an intricate question of bailment.

It may be objected that this is a bald commonplace, but it cannot be denied that it is one that has been more generally recognised by the rulers of India than by their opponents—and every division of labor in which it is ignored will fail. The

Government of India has had a separate set of officers for frontier Districts, for interior Districts, and for political duties; and the appearance of confusion may be a good deal traced, to the custom of requiring every Civil Officer to matriculate as an assistant to a District Officer; than which, however, it would be difficult to devise a plan, better suited to give young officers a practical knowledge of, and interest in the people, with whose affairs they are more or less to be connected by the "business of their lives;" and the men who would let loose the Inns of Court upon such a field, would certainly not obtain "the advantages of a division of labor," any more than they would "open the Civil Service." The division of labor is a very good term, and may be very beneficially applied as far as circumstances permit. That it is not applicable without reserve to European labor in India, will be gathered from observing the fact that, in India, Milliners usually deal in wine and gunpowder; and that Newspapers are often conducted by persons who begun life in other ways. But those who think labor can be divided by the exclusive employment of "trained lawyers," must be either enthusiasts without brains, or barristers without practice.

It may be objected to the Indian Government's "division of labor," that Henry, Lawrence and the other distinguished men above referred to were not members of the Civil Service. For the present purpose, however, they *were* so; that is they were covenanted officers in Civil employ; and it is very possible, that the Civil Service might be largely regenerated, if the officers for administrative duties were selected from the staff of the Army, to a far greater extent than is at present the case. If the Punjab scheme of administration could then be applied to the Mofussil generally, and a good Civil Code be launched with the new Penal Code; a sound system of procedure in each department, and a reformed Police being added, there would be little fear for the forensic future of the Rural Districts. The colonial portions of the empire might have any amount of "trained lawyers" that they were pleased to pay for, and if any man envied such privileges he might be allowed, under due restrictions, to indulge his eccentric taste by a writ of *certiorari*. The majority would probably be of a mind with those Spanish Americans, mentioned by Mr. Helps, who petitioned the Court of Madrid, that "no lawyers might be sent to the Colony." It is to be noted further that Administrative Reform is no new thing in India. Her rulers have not, it is true, introduced an "open" Legislative Council or Parliament, in which Calcutta shopkeepers should have the power of paralyzing the action of Government, and Planters be enabled to reduce their ryots



to the condition of Gibeonites : and surely the instance of New Zealand, where agrarian questions are at length being settled by the primitive arbitrament of force, is a very good ground for congratulating the rulers of India, on their not having introduced colonial principles of Government into a country, which we hold on such a very uncolonial basis.

But, once allow that the administration of British India must, for the present, be based on despotic principles, and carried out through official agency, and it cannot be denied, that with the single exception of destroying the covenant, every thing that could be called a bar to administrative Reform has now been removed. This covenant is, in fact, a commission. Men are induced to leave the arduous paths of life in Europe by the guarantee of certain advantages in point of rank and remuneration in Indian exile, in order that the pedantry and narrow knowledge of a bureaucracy may be tempered, and its corruptibility checked by the constant influx of the best blood of England—speaking of course, in a metaphorical, not in a patrician sense. It is exceedingly easy to shew objections to this plan ; the political danger of closing the higher ranks against the Natives of the country, the hardship of arresting the career of the man who has risen from the ranks, and most of all the grave possibility (to say the least) of indolence being generated in the minds of the favored few who have received the above mentioned guarantee. But the instance of Russia, where every official rises from the ranks, and where official corruption and *esprit de corps* are crippling the gigantic forces of the empire, may serve to shew that an escape from these evils is worth buying at a considerable price. In point of fact this price has been gradually diminishing of late years. From the constitution of the highly paid and carefully trained Civil Service by Lord Wellesley, down to the introduction of the competitive system by Lord Stanley, a little more than half a century elapsed, during which the Service produced a few very black sheep, a certain number of average men, and sufficient great hearts and minds to consolidate an empire, which was the admiration of every foreigner who visited it, until ruined by Reforming sentimentality and Foreign office intrigue. To the Civil Service of those days we owe the political successes of Metcalfe, Jenkins and Elphinstone, which gave us internal peace for nearly forty years ; the patient investigation of Holt Mackenzie, R. M. Bird and Thomason, crowned by the most complete knowledge and record of agricultural customs, rights and tenures ; the liberality of F. Shore, the learning of Elliott, and finally the splendid services of the Great Mutiny, when a Native Army, wrought to Praetorian insolence by the result of

was the Indian administration disapproved, and indulgences they were powerless to prevent, was put down partly by the unlooked for aid of the local officers—typified by John Lawrence and Robert Montgomery—of whom in the Presidency (the North Western Provinces) one-third died at their posts, while the survivors did wonders with scarcely a soldier on whom they could rely.

There were grievous faults in the old Service; many of the young officers lived for years, a life of idleness and extravagance from which sometimes nothing could set them free. Still lives the memory of Paddy H—s, who passed twenty-five years of service in journeying to and fro between Calcutta and London, with an occasional trip to Simla, and who never got beyond an Assistantship in the Customs; of—who passed his quarter of a century in *College*, and retired on his annuity without having ever “passed,” or done an hour’s work; of—who went to Court stark naked, acquitted murderers, kept his English records on the floor, and was finally removed by a troop of horse; of the Customs Agent at Ghazepore, who “cut” Lord Hastings for only giving him £7000 per annum, in recompense for his signing R. B. B. on *rowanas* for half an hour while pulling his first *shillum* after breakfast, and who obstinately refused to write any thing but his initials unless his pay was increased; —but why multiply instances when the result is before us? “The Empire of the Middle Classes” remains, after all the shocks it has sustained, still sound, still an unexampled proof of the administrative skill and virtue of Englishmen. Where is the Roman Proconsulship, the Spanish Conquest in America which can compare with her? or who that has seen French Algeria would prefer the system prevailing there? Moreover such as the old service was, it has passed away, and it is not only idle but unfair to rake up objections against what has ceased to be, merely because you want a share of the lucrative posts, or think your commercial enterprises would prosper better if there were no administration but what you pleased. The few enthusiasts and the many malcontents, who from different grades of obscurity clamour against the existing state of things, are not raising their voices against the system which formed British India, and won the applause of Macaulay and Peel in England, as it did that of the best informed travellers of every rank from the Prince to the Printer, from Petersburg to Paris; but they are finding fault with a Service open to public competition from the best educated sons of the great Universities of Britain, and with the freest system under which any official organisation at all could be imagined as feasible.

A late number of the "Quarterly Review" contained a strong and carefully reasoned condemnation of the English competitive system, but carefully excepted that in the Indian Services. And indeed the faults of the two are as different as the conditions under which they act. The English competition is offered to men whose destinies will be humble and their salaries low, the higher posts being, by common consent, disposed of on very different grounds. The Indian competition, on the other hand, is intended to form a guide for selection of men, who will begin their public life with large powers over the persons and property of vast communities; while they may possibly end them as Pro-consuls of Provinces, or Prime Ministers of Empires. Obviously the objections brought against the competitive system for producing an article superior to its ends, and making men discontented with the nature of their duties, ought to be brought rather against the English than against the Indian system. But a writer in the *Saturday Review*\* has brought a charge against the competitive principle, which applies with greater force to that for the Indian administrative service than to that by which Clerks or Tidewaiters are selected in England. "Competitive examinations" says he "are under our present system the great motive power of all systems of education, and the desire to excel in them is accordingly strongest in the sort of mind which is naturally inclined to set a high value on juvenile successes. This is not a very good turn of mind. It implies a certain preciseness and formality of character, and a constant inclination to defer to established authority, and to attach great importance to the express approbation of recognised superiors. It follows from all this that competitive examinations are fit only for boys or lads, and that even with respect to them, they test only the lower kinds of merit, whilst all the higher qualities—originality, independence, and love of knowledge for its own sake—are positive disqualifications for success in them."

Now, whatever requirement there may exist in the English Clerkships for the higher kinds of merit here enumerated, must exist in a far stronger form, when the duties to be entrusted to the candidate are of such a far higher character as are those of Indian administration. Nay more, not only are such qualities unlikely to be successful in a competitive examination, but the advanced age at which the candidates are admitted to the Indian examinations has a special drawback of its own. It has been shewn that even under the old system a large proportion of the officers were of good, and some were of the most splendid merit.

\* Vol. 10 p. 551.

But this is not all; the old Civilians passed through a respectable test examination before entering Hailesbury, and while there had at least the option of obtaining a very high training under able and eminent teachers: but it is noteworthy, that some of the very best of Indian statesmen, Munro, Malcolm, Sleeman and Outram were officers of the army who had been chosen by haphazard, and received no preliminary training whatever. This can only be accounted for by *the doctrine of chances*; amongst a number of untried youths there must always be a certain number who possess latent abilities of the most brilliant kind. A competition set before men of twenty three years of age *actually eliminates this element*: at that age the candidate has completed, or almost completed that academic career by which young Englishmen test the relative powers of themselves and their contemporaries; and it will obviously not be those of first class qualities and attainments who will quit an opening career in England, for the questionable attractions of hard work and exile in a vile climate and amongst a vile race.

So far therefore as a branch of Indian administration demands special acquirements it may be better to make it a special service, than to continue to select its members from a general staff of officers, however open be the field of selection, and however carefully guarded the door of admission. For the department of account, for instance in which the Civilians are generally considered to have most failed, it might be well if all promotion went in the line, and if the entrance were merely barred by a special examination in financial subjects, Indian and general. With regard to the judicial line, it has been shewn above that the duties in outlying provinces are chiefly correctional, and those familiar with the subject will admit, that among our ruder populations even Civil justice is more a matter of administrative ability than of legal detail; but there are Benches in India to which forensic experience and nicety of adjudication should be the only passports. This has long been conceded by the institution of Supreme Courts with jurisdiction classified into Criminal, Civil, Equitable, Ecclesiastical and Admiralty, in the Presidency towns. These courts are about to be amalgamated with the unchartered Courts of the old system, and it will be a great step should a special standard of fitness be henceforth adopted for all benches, on which, from the intricate character of litigation or the presence of large European communities, a jurisprudence of a complete kind is requisite.

But for preservation of peace among rough agriculturists, or ignorant inhabitants of Bazaars, for the repression of violent crime,

the management of a complicated revenue system interwoven with the land, for all the rough work of rough societies, originality, independence, and energetic integrity should be the qualities chiefly, if not solely, demanded. These qualities may be possessed by men who enter the service late in life, and certainly competition is better than jobbery; but no men, who have discovered qualities such as were found in some of the old civilians, are likely to come into the Indian Service. Southey refused a writership at seventeen! and when he had no prospect of a maintenance, but what he could expect from the abilities of which he may have been precociously conscious:—the words which follow will be found in a Letter inserted in the first volume of his Life. “A man who feels must be in solitude there [in India]. Yet the comfort is that your wages are certain; so many years of toil for such a fortune at last. Is a young man wise who devotes the best years of his life to such a speculation?” Southey replied in the negative, and matters have not changed for the better since, the “wages” being no longer “certain,” nor “a fortune” usually made “at last;” while the chance of seeing your wife and children butchered, and of having to turn soldier at a moment’s notice, is added to the certainty of a debilitating climate and rapidly rising prices. These are the inducements held out to induce first class men to abandon their college fellowships, or their prospects in Westminster Hall.

But the case is widely different if you turn to younger men. Few lads of seventeen have the foresight of Southey, and the history of the past shews that the mere attraction of a red coat and a life of adventure will lead them in shoals to the uttermost parts of the earth. Now, if the principle of competition be extended from its new limits, of examinations, to its natural broad basis of active life, there seems no reason why the administrative service of India should not be recruited better than has ever yet been done—without destroying one advantage or withholding one guarantee—simply by taking its members from among those military officers who, after a certain period of regimental duty, shall be willing to give satisfactory proofs of their fitness, and to forego the future steps of military promotion. *Sic fortis Etruria crevit*; such has been the system which has made the Punjab the model Province of British India, which produced Nicholson and Lumsden, Lake and Edwardes, which enabled Sir John Lawrence to destroy the mutinous sepoys, or chain them up like beaten hounds, while he sent the whole of his available forces to wrest a falling empire from their triumphant brethren in Delhi. Nor must the “Uncovenanted servants” be forgotten. Many of these in the Punjab are men of good

English blood and education, attracted and retained by the knowledge that in that part, at any rate, of the Indian empire, there is no bar to a successful career. Several of these Gentlemen have been placed in charge of Districts, and it would be a manifest injustice to exclude them any longer from any advantages of position, that may be enjoyed by their Covenanted or Commissioned brethren. Our scheme, then, for administrative reform is simple, as regards the majority of those lower but most important and responsible posts, by means of which the business of the country is carried on.

Two subjects of greater dignity, though not, it may be, of superior usefulness remain to be briefly noticed. The Legislative Council, and the Executive Cabinet of the Viceroy. A claim has been set up in several quarters, that as all classes in British India are now taxed, all classes should be represented in the legislature. To this there are several answers, each of which is perhaps sufficient of itself, but of which the accumulative force is surely irresistible to any impartial mind. The argument derived from abstract rights will hardly convince any one in this practical age. As Dr. Arnold (no friend of tyranny,) long ago observed "the correlative of Taxation is not Representation but Protection." No country could be governed for a day without a revenue, and the means of raising a revenue without taxation are yet to be discovered. Of all the duties of Governments the most generally recognised is the protection of life and property, while the states which are really governed by Representation may be counted on the fingers. A representative government is clearly a matter of expediency, the forms which suit one time or one place being unsuitable—often impossible—for the same place at different times, or for the same time in different places. The burthen of proof is therefore laid upon those who contend that British India is at present in a condition requiring representative Government. In point of fact, it is probably felt by such advocates that the Natives of the country would either not attend the council, or in such a feeble character as to be easily borne down by the representatives of the "European community," that is by a certain number of unsuccessful men of business converted into paid demagogues. And what would be the action of such delegates? Is it not certain from all that we know of human nature, and from the consistent behaviour of the more active and noisy of that class for the past hundred years, that their chief aim in life would be to impede the action of the executive and to vilify its agents? And what practical result would be likely to come from such a course of conduct? If they could not produce a change of ministers,

could they produce any thing but a dead lock and stoppage to business never too famous for rapidity?

This brings us to the second question, the constitution of the Executive. Obviously a representative assembly can control the entire administration of a country, if by withdrawing support and confidence it renders necessary the substitution of new men in the posts held by persons who, under the name of Secretaries or Ministers, transact the business of the various Departments. But how would this work in a country where every Department is a profession in itself, of which the Head, for the time being, is or ought to be selected on account of an official fitness acquired and guaranteed by years of professional practice? Only conceive the new Executive which might be called into being by the action of a Liberal majority in the Legislature. If putting aside these factions, those who are interested in British India would combine to meet a real danger, there is one which may demand their best and most united energies. If "Government by Electric Telegraph" is to be developed much further, and if the messages are not only to be "Take care of Dowb," but "Give half a million to Cræsus," the time is not far off when we may at least save the salary of a Governor General, and pass under the reign of one who—in spite of his name—will be no king Log. The keystone of Administrative Reform for India will not be laid by turning the Legislative Body into a nuisance, whose necessary abolition will but facilitate the introduction of an irresponsible Despotism sitting at Whitehall; but by our all acting together with a calm earnestness that shall shew that "India must be governed in India" until the time comes when she may govern herself. In the meanwhile let us use, and keep in working order, the tools that we have. There is a body of eight hundred Civil Officers, many of whom have abundantly proved their capability for very difficult work, and all of whom are daily increasing their knowledge of a very intricate subject; there are a certain number of able and industrious subordinates competing with their superiors, with whom they are in some instances fit morally and intellectually to move on a par; and there are thousands of Military Officers who *must* be provided for, and many of whom possess an acquaintance with local language and customs, and a capacity for brilliant service, which only require to be elicited. Should there be any special posts, either on the office stool or on the judicial Bench, which require special qualifications; by all means let those qualifications be sought for. But let it never be forgotten that the administration of a quasi-continent, peopled by numerous races differing in every quality and char-

acteristic, except that of only obeying the firm will and the strong hand, is a strictly extra-parochial affair, and cannot be conducted on vestry principles. Let it be remembered how large a share of Indian shortcomings have always been due to English interference, and let some allowance be made for the imperfections of human nature, which, though not confined to Englishmen in India, are certainly not banished from among them.

It is the fashion with some soi-disant Reformers to affirm, that the Members of the Civil Service are 'a set of drones' who live in idleness and clover for twenty-five years, and, then return to Europe on a Pension of £1000 a year. To those who know India well it will not be necessary to observe that both statements are false. But readers at Home and Calcutta cockneys may be as well reminded of the history of India for the last half century, of the great men whose names have been already cited, of the civilization of Sindh and the Punjab, of the settlement of the North-Western Provinces, (whatever its correctness of principle, at any rate surely a work of labor,) and of the concurrent accounts of all travellers, British or foreign who have seen the interior of the country. In a former part of this article we cited the cases of some bygone black sheep of the flock; but the white sheep are surely a fair set-off; or would it be fair to condemn the whole body of gentlemen who have devoted their lives to India since the commencement of the present *regime*, on account of their having in their ranks a few 'hard bargains?' As to the pension, it is the most conceivable delusion ever witnessed out of a conjuring booth. Every Civil Servant from the day he joins, contributes four per cent of his salary to an Annuity Fund. Every year a small proportion of those who have served longest are permitted to retire on an allowance of £500 a year, derived from the Fund formed by the accumulated subscriptions of their deceased comrades, supplemented by a Government Contingent. They are also at liberty to take the value of their own subscriptions, up to a second annuity of five hundred a year, calculated at ten per cent, or to make up the difference between what they may have paid and £5,000, or half a lakh of Rupees. Anything that may have accrued from the compulsory payments they have been making in excess of the last named sum is *forfeited* and a fine of £500 is demanded that the instalments of annuity may be paid quarterly and in advance. Men are not eligible to this retirement until they have been at least twenty five years in the service; but no servant of twenty five years standing ever gets one of the available annuities, while on the other hand one



of thirty five years is chased from the service, whether entitled to an annuity or not. Such is the celebrated Civil Service Retirement! on which comment would be superfluous, were it not for the inroads on the rights and privileges of the Service now understood to be in contemplation. If the prizes of the Service are abolished or thrown open, and the pay of incumbents reduced, a Government presided over by a Royal Mistress, and conducted by British Earls, knights and gentlemen, is surely bound to give the disappointed employes the option of retiring. Especially is it the duty of Government to do this, and of "the Press" to urge it, if the majority of the service, owing to the system under which they have been selected and employed, are such useless encumbrances. Good faith and justice are as necessary as expediency to any complete measure of Administrative Reform.

Thus, therefore, we have attempted to shew the principles on which Administrative Reform for India should proceed. We have not been desirous of defending any particular existing system. As to writing up the old Civil Service, it is quite unnecessary; if its historical destruction did not speak for it, it has, at all events, ceased to exist; and we need not speak of the dead, whether for good or for evil. "Though one should smite him on the cheek, and on the mouth, he will not speak." It shall not be ours, either by praise or blame, to profane that repose. But it has appeared to us, and, we hope, to our reader, that some such men as the old Civilians, are still required to administer those parts of India which are still in the condition of foreign Dependencies, requiring a despotic system, but for which an European is better than an Asiatic Despot. Those parts which are becoming civilized and colonial in their character, seem to require a set of officials more obviously the servants of the Public, more numerous, not so highly paid, and more amenable to the constant action of public opinion. It has also been inferred from analogy, that for the former class of duties, the *personnel* now at the disposal of the Indian Secretary of State presents a large number of men of, at least, average ability, and far more than average experience; that there are probably a few great men latent in the service, and certainly some who are nearly, if not altogether, useless.

Before concluding, it may perhaps be proper that we should state, what we think the best way of securing the most serviceable position and career for the capable and the brilliant, while a method is pointed out for the elimination of the 'hard bargains,' without undue hardship to themselves. We consider that those of the old Civil Service and of the competitionners who have shewn aptitude for administration, should be allowed the option of entering the Staff-corps of the

Army on their respective grades. Something is due to these officers. They have left certain prospects in England in the hope of certain apparently guaranteed advantages in the Civil Service of this country, which have either ceased to exist already, or have come under the destructive touch of the future. Many of these men did good and gallant service for years before the Rebellion, were tried during that crisis as few men of their class are tried, coming out of the trial with the applause of Queen and country, and have continued since to work hard at duties now become distasteful, amidst the wreck of nearly all their old hopes, and under much cruel misrepresentation from those whose good opinion was once their greatest consolation. To reduce these men suddenly from the highest position in the country to one in which they have neither acknowledged position, nor security for their future; to turn the once independent servants of the Home Government into suitors for backstairs favor at Belvedere or Nainee Tal is too severe handling for old and faithful employes. The case of the competitioners is in some respects harder. In addition to the pay, many of them considered the social status a farther inducement when giving up academical prospects for the gilded chains of Indian servitude; and in their case, the withdrawal of the covenant will reland them hopelessly on their original platform. All alike, be they gentlemen or not, will have to contend and to compete with men possessed of more Parliamentary and connectional interest than themselves; and it is but a matter of bare right that they should be protected by a commission from the crown, as a recognition of their place in the service, and as something to fall back on when ill health or other accident throws them out of employ. The simplest way to do this is as before suggested. A number of the so-called Military Officers on the Staff-corps, have long ceased to be soldiers in anything but in title; and there is no reason why Captain Sword should hold his commission in the Staff-corps as well as his Deputy Commissionership, while Mr. Pen, his first cousin and contemporary in the Civil Service, should go on furlough to England on the footing of a clerk, and return to this country in the character of an adventurer. There are departments in which men will remain and rise during the whole period of their service. Such is the financial, and such, shortly, will be the judicial branch. Officers who elect to qualify for these need not perhaps be borne upon the strength of the Staff-corps, but this is a matter of detail.

We now come to the incapables, with whom the public are too often burthened, owing to the absurd injustice of the rules regarding the retirement of Civil Servants. It is a popular

notion that every member of this favored body is entitled to £1000 a year for life, in an elegant European retreat, immediately on completing his quarter of a century of Indian Service. In point of fact the Government gives him considerably less than £800 a year; and this he seldom gets before his thirtieth year of service. The Annuity, in reality, consists of two portions of £500 a year each: one made up partly from public money, and partly from a sort of tontine on lapsed subscriptions of members who have died before retiring. These subscriptions are compulsory, being deducted from the monthly pay of every officer to the tune of some five per cent. The other moiety is the value of the subscriber's payments at ten per cent., per annum. A large fine is demanded that the annuity may be paid quarterly in advance; and the subscriptions of any member, whose payments, owing to length of service and unusually high rates of salary, may have exceeded £5000, are forfeited. The first of these, if it were untrammelled by the second, is a fair provision. If every Civil officer could get £500 a year for life after his twenty five years of service, all would be well. The provision, though modest, would be not inadequate; and worn out, disappointed public servants, although they might have held poor posts, and saved no money, could be got rid of without cruelty. Instead of which, what is the working of the present system? The fund only provides a certain number of annuities in each year, and an officer out of employ must simply starve until it comes to his turn to obtain one. No wonder if some useless men encumber the service, owing to a natural reluctance on the part of their superiors to turn them entirely adrift.

There is another fund, the "Civil Fund" as it is called, out of which the widows and orphans of Civil Officers are provided for, which must of course be kept up. We cannot at the end of a paper on Administrative Reform, enter into the details of this subject; but would just mention, that it would be better for all parties if the former fund (that for Annuities) were entirely abolished, Government taking so much of the accumulations as was found necessary to guarantee the pension of £500 a year, and returning the balance to subscribers *ad valorem* on their past contributions. If only as a kind of compensation for all the injury it is bringing on the service, Government is bound to take up this matter in a liberal spirit. As for the Civil fund, we will only here observe, that even whig statesmen are, for the most part, English gentlemen; and that, were they not, the service may surely commit, in all confidence, the sacred cause of the fatherless and the widow, to a Monarch who is herself, both wife and mother.

ART. II.—*British Settlers.—Report of the Commissioners on  
Indigo Planting. 1860.*

THE condition of colonies depends in a great measure on the character of their local government. Wise rulers frame equitable laws, and, appointing proper executive officers; keep the courts of justice pure, encourage enterprising capitalists to develop the mineral, agricultural and commercial resources of the country, afford every facility for the transport of traffic on roads, rivers and seas, and behold in the increasing numbers of settlers from the mother country, a wall of strength, a safeguard against anarchy, and the fairest prospect of preserving in a loyal and prosperous state the foreign possessions of their Sovereign. The results of their administration are seen in reclaimed wastes waving with corn, populous cities standing on the sites of primeval forests, flourishing manufactures, crowded marts, merchant fleets, and well attended schools, colleges and churches. Under their auspices colonies, larger than many kingdoms, passing over the intervening stage of youth, shoot up from infancy into manhood, and attain at once all the characteristics of ancient commonwealths. We speak not of fabled regions: this sudden rise and rapid progress are exemplified in the Australian settlements and other dependencies of the British crown, where Anglo-Saxons, putting forth indomitable energy, have turned the wilds of nature into great and wealthy states, which in the race of social and moral advancement vie with the mother country, and in their educational and ecclesiastical polity leave her far in the rear.

The effects of an unenlightened, weak and wavering government, are seen in the depression of agriculture, trade and commerce, and the departure of capitalists and labourers to other lands.

Emigration from a country may be a proof of its numerical strength, wealth and prosperity, as at present illustrated by the groups of well conditioned people that leave Great Britain for its distant dependencies; but emigration may likewise be a proof of the misery of a country, and the incapacity of the men to whom its destinies are confided. In the plains of India and on the declivities of her mountains, the jungles, capable of being cleared and made highly productive, are larger than the whole area of England. Why are they not brought under tillage, is a question which will naturally arise in every inquiring mind. Is it owing to the few-

ness of the inhabitants, and the want of labourers? On the contrary the increase of the population has been remarkably great, and many thousands of labourers have been sent to Ceylon, the Mauritius and the West Indian isles,—men in abject poverty, and conveyed to their destination at the expense of their future employers. With the most fertile land lying waste at their own doors, they have left their homes to supply the labour-market of foreign countries. This indicates something radically wrong in the laws or their administration, and is a fact which speaks volumes against our rule. It clearly shows that though the chief edible commodities of the people are selling at prices almost unprecedented, and extended cultivation would therefore yield ample profit, there is no adequate inducement to reclaim these vast wildernesses, and the labouring poor consequently resort to exile as their only refuge. Six thousand are to be shipped for the French colonies—six thousand living proofs of the bad Government of India, and of the wretchedness of its inhabitants. Not only do our senators facilitate the shipment of native labourers, but appear likely to effect the exodus of British settlers also. Indeed from the date of the battle of Plassey to the present time, nearly every year has witnessed legislation more or less antagonistic to European residents. Indifferent alike to the material prosperity of the country, the evangelization of its inhabitants, and to a free press, that powerful auxiliary in the administration of public affairs, the late East India Company, with a zeal worthy of the dark ages, occupied itself in deporting merchants, editors and clergymen. The few non-official English who stayed remained on sufferance, liable to be banished whenever capricious tyranny dictated. The reasonable request to be allowed to become owners of the land was not granted them. Natives might purchase estates, but the most to which Christians could aspire, was to be tenants of Hindoo and Mohammedan proprietors. When Parliament compelled the Company to adopt a more liberal policy, the local authorities, with the sanction of the Court of Directors, used their utmost endeavours to neutralize it, by throwing all possible impediments in the way of capitalists: every administration, except that of Lord Bentinck, was either hostile or apathetic; and Arms Bills, Black Acts, and the gagging of the press show but too plainly that the ancient spirit animates the present government. Legislators, on whom nature has not deigned to bestow the far-reaching minds of statesmen, not having a clear perception of what they are doing, may frame laws whose tendency is to discourage, ruin and expel British settlers, but the people for whose welfare they are enacted will be the first to deplore their results.

If a manufacture of incalculable benefit to the country be attended with partial evils, which all persons admit to be the case, it is the province of the state to make provision for the removal of the evils, not to destroy the manufacture itself. The most perfect work of art may chance to be out of order, but while susceptible of repair, no person, unless a child or maniac, would dash it to pieces. It may be said that for uprightness of intention, and solicitude to promote the prosperity of India, full credit should be given to the Members of Council: but these are not the only attributes requisite to govern an empire; wisdom is quite as necessary, and without it legislation must be little better than groping in the dark, and will seldom prove otherwise than hurtful to the realm. Virtue, of the most exalted character, cannot be accepted as an adequate apology for ignorance and wrong doing. Some of the greatest evils which have afflicted the world have sprung from motives and aspirations that would be honourable even to angels. Before giving credit to the government for a spirit of equity to British settlers, it may be well to inquire when it has been merited, and whether in the indigo crisis the acts of the executive deserved praise or condemnation. To form a right judgment on this important matter, it will be necessary to bear in mind that in 1857, while mutiny and rebellion shook the empire to its base lower Bengal was tranquil, and the planters, though ten, twenty and thirty miles apart from each other, remained on their estates with their wives and children unapprehensive of danger. No troops, policemen, or guards of any description surrounded their solitary dwellings. Had they been the tyrants they have been pictured, how was it that the pent up passions of the people they had oppressed did not, when so favourable an opportunity presented itself, burst forth in deeds of rapine and bloodshed? The temptation to anarchy was great, yet not a single murder was committed, not a shred of property stolen, nor the least change made in the respectful demeanour of their tenantry. During the whole period of the rebellion, the counties of Jessore, Pubna, Nuddea, Moorshedabad, Rajshaye, and Malda continued quiet, and no traveller in passing through them could have imagined, that the North Western portions of the empire were then in a blaze: but in the early part of last year these peaceful districts began to assume a different aspect; discontent and turbulence gradually appeared, and at length developed themselves in riots, which resulted in the flight, ruin and imprisonment of thousands of the peasantry, and the bankruptcy of enterprising capitalists. As no change had been made in the system of indigo-cultivation, and the planters are not even accused of having done any thing

to outrage the feelings of the farmers, the question naturally arises, how was this disastrous state of things brought about? Several causes may have been at work, and to each in its proper place we shall advert.

In making his financial statement Mr. Wilson embraced the opportunity to speak about indigo-cultivation, and to give expression to the enlightened sentiments embodied in the following language : ' It is one of the few cultivations in India which attract British capital and skill to direct native labour. That is the kind of industry which, above all others, the Government would wish to encourage, and on that account alone they would feel precluded from placing any impediment in the way of its extension. It would be more in consonance with our views to remove what little duty there now is as soon as circumstances will permit. ' The value of the influence of European gentlemen settled in our county districts cannot, in our opinion, be overestimated, and it will be the steadfast policy of the Government to encourage it in every way we can.' Scarcely had these sentiments been uttered when Mr. Grant fell under suspicion, whether deservedly or not we shall presently inquire, of labouring to frustrate the design of that distinguished and now lamented statesman. A crusade was commenced against planters, productive of evils which malevolent persons doubtless contemplated with feelings of pleasure. Indeed there was much cause for exultation, for every day's proceedings proved increasingly destructive to the interests of British settlers. Speaking of the excitement and hostility of the peasantry, the Manager of the Sindoori Concern, under date of the 21st of February, writes : ' The ryots are fully under the impression that the Government wish to suppress the cultivation of indigo, and will support them against the planter, and they certainly have every reason for saying so, for they are often told so by the police.' And on the 29th he writes : ' The ryots are at present in a state of great excitement; in fact they are mad, and ready for any mischief. They daily try to burn our factory and seed-golahs. Most of our servants have left us from fear, as the ryots have threatened to murder them and burn their houses; and I fear that the few that are still with us will soon leave, for the ryots prevent them getting food from the neighbouring bazars. If some most stringent steps are not taken by the Government at once, none of us will be able to remain in the Mofussil, and then there will be a general looting of the factories—rather a serious state of affairs when you consider what is at stake. Even now it is not safe to ride from factory to factory. The whole country is up, and if it go on much longer in this way

'there is no saying what may happen. The police are all against us.' The manager of the Bengal Indigo Company states, that the disturbances in his concern are owing to the 'current belief, that the Government is determined on putting a stop to all indigo planting.' The Manager of the Carryoda factory writes on the 1st of March: 'I am sorry to say that the ryots of the Soobdy factory have been told by the ryots of Kadjoorah factory of the Goldar division, and those belonging to the Ailhass factory of the Sindoori division, to join with them to present a petition against us. My ryots said that they had nothing to complain of, whereupon they were told that they would not be allowed to remain in their villages. I am doing my best to keep them quiet; but the whole district is in revolution, and the mutinous ryots say they will not sow indigo, having the Lord Sahab on their side, who has told them they need not sow indigo if they do not like it.' Mr. Campbell, assistant in the Mulnath Concern, was attacked and beaten, and left for dead on the field. Mr. Hyde, assistant in the same Concern, was pelted with clods, and only saved himself by the speed of his horse.\*

The out houses of Chandpore, in the Goldar Concern, and the factory houses of Kadjoorah, in the Lokenathpore Concern, were burned down. Three hundred men attacked the dwelling house at Buckrabad in Malda, and made a bonfire of the property it contained. In the attack on the factory at Baniagram in Moorshedabad two men were killed and several wounded. Since the above events transpired, two factories have been destroyed by fire in the county of Rajshaye.

The statement, that the farmers have an impression that the Government is hostile to indigo and has prohibited its further cultivation, is confirmed by gentlemen who are in no way personally interested in the matter. A. T. Maclean, Esq. Magistrate of Damurhuda, in his evidence before the Commission says: 'During the months of July, August, and September of last year, I was residing in an indigo factory in Damurhuda, there being no residence for a magistrate in those parts; and being the height of the rains, it was impossible for me to live in a tent. During those three months I have no recollection of any complaints being brought to me, or any expression of feeling for or against indigo, being made. In February, when I rejoined my appointment, I found the manager of Lokenathpore and the villagers of Joyrampore at issue. Mr. Tweedie and his head servants on one side, and the mullicks and the chief villagers on the other, were, on my recommendation to the magistrate, bound over to keep the peace.'

\* Blue Book on Indigo Cultivation in Bengal, pp. 350-1.



'The discontent spread by degrees through the district. It seemed to be the impression in Durgapore and in the northern part of the Hardi Thanna, that the Government had prohibited the cultivation of indigo. I endeavoured to disabuse their minds of this idea, but with no success. They said it was the order of the Bara Saheb that they were not to sow indigo any more. Latterly I heard it said, that people had come from Calcutta, and exhibited written orders to the effect, that there were penalties for sowing; but though I endeavoured to get hold of these orders I never succeeded in getting a sight of them. The petitions presented were numerous, they were vague and general, the specific charges were few in number, and as far as I can remember were not well founded. Villagers going from village to village, exciting each other to join in a league to refuse to sow indigo, was, I believe, a practice.\*

W. H. Herschel Esq. Magistrate of Nuddea, states: 'On the 20th February with the exception of Santipore and two police-divisions on the Bhagiroti, the whole of the rest of the district was strongly excited on the subject of indigo planting. One general idea seemed to prevail, that the cultivation of indigo was stopped by the orders of Government, and a good deal of irritation prevailed because they thought that these orders were not being carried out. When I went to Khatgarra the ryots told me that they had broken up the indigo that had been sown because Government wanted to put a stop to the cultivation of it.† 'The ryots have an impression,' says the Rev. J. Long, 'that the Government is on their side, and this has emboldened them to rise.' The Rev. C. H. Blumhardt states: 'The ryots have certainly lately been under the impression that they had the support of Government, and particularly that of the Lieutenant Governor, and that I suppose has inspired them with that boldness and energy with which we now see them come forward.‡ The Rev. F. Schurr observes: 'I cannot trace the origin of the change which has occurred within the last six months, but the perwannis have had a great deal to do with it,—I mean the Lieutenant Governor's and Mr. Herschel's.'§

Was the opinion that the Government is hostile to indigo, and resolved to stop its cultivation, founded on words and acts which indicated the conclusions the farmers every where drew from them? We are disposed to think that the natives, following their usual course of reasoning, could not have interpreted

\* Report of the Indigo Commission, Minutes of Evidence, pp. 32-3-4.

† Ditto ditto ditto pp. 4-9.

‡ Indigo Commission Report, Minutes of Evidence, p. 124.

§ Ditto ditto ditto p. 68.

the intentions of the authorities as otherwise than antagonistic to the planting enterprise. The illegal proclamation made by the Magistrate of Baraset was a direct interference with capital and labour, and could have been issued under no other government in the civilized world.

‘Proclamation No. 1603, to the Daroga of Kolarooh. Be it known.’

A letter of the Magistrate of Baraset, dated the 17th August 1859, has arrived, enclosing extract of a letter, No. 4516, from the Secretary to the Government of Bengal, dated the 21st July 1859, and addressed to the Nuddea Commissioner, which, in referring to certain Indigo matters, states that the ryots are to keep possession of their own lands, sowing thereon such crops as they may desire; that the Police should take care that neither Indigo Planters nor other persons should interfere with the ryots; that indigo planters shall not be able, under pretence of the ryots having agreed to sow indigo to cause indigo to be sown by the use of violence on the lands of those ryots; and that if the ryots have indeed agreed to do so, the Indigo Planters are at liberty to sue them for the same in the Civil Court, the Fouzdaree Court having no concern at all in that matter; for the ryots can bring forward numerous objections to their cultivating indigo, and in respect of their denial of the above agreement.’

‘Therefore this general Perwannah is addressed to you, that you may act in future as stated above.’

‘The 20th August 1859.’\*

Speaking of a report current in the South Eastern part of the county of Nuddea, to the effect that Government was opposed to the cultivation of Indigo, E. Drummond, Esq. the Magistrate, says: ‘This report, I believe, to have been spread in particular instances, by designing persons to do their immediate neighbours harm, but I have no doubt it owes its origin to the occurrences in Baraset, and that it is rapidly spreading, and will do much damage in this district, if not checked at once.’†

Cultivators, who had received advances and entered into contracts to sow indigo, are deliberately told, that in keeping or breaking their engagements they will be allowed to consult their own inclination. Were a similar proclamation to be issued respecting debts and rent, neither money-lenders nor revenue-officers would be able to realize a farthing, and both the state and bankers would become insolvent. It is idle to

\* Blue Book, Indigo Cultivation in Bengal, p. 352.

† Ditto ditto p. 576.

say such a catastrophe was not contemplated. Men who know the people foresaw the order could lead to no other result, and the inability of a magistrate to comprehend the tendency of his own actions, shows that he was grossly unfit for the situation he was appointed to fill. Many copies were made of the proclamation, and it gradually found its way through all the indigo districts in Lower Bengal; the police, though the most indolent men in the world, were industrious to make it known, and are thought to have been well remunerated for their services. Every where the farmers put the same interpretation upon it, and believed it to be a permission from Government to defraud the planters, by declining to sow indigo for the crop of which they had received payment in whole or in part. Native landlords generally showed themselves unfriendly to the planter, and paid, it is believed, emissaries to travel through the excited districts, who encouraged the turbulent to continue in the lawless course in which they had entered, and by the dissemination of false intelligence, and the use of promises and denunciations, constrained the well disposed, who were peaceably pursuing their usual labours, to abandon their fields, and join the insurrectionists. Letters were addressed to the headmen of villages, urging them to employ the whole of their influence to oppose British Settlers, and superior pleaders despatched from Calcutta to defend the cultivators in all suits for breach of contract which were brought against them.

Had a document of a similar character been addressed to English workmen during the recent strikes, it would have been productive of the most disastrous consequences, but British statesmen refused to interfere between the contending parties, and reserved their power to prevent breaches of the peace. The entire responsibility of this proclamation has been supposed to belong to the Honorable Mr. Eden, and consequently much opprobrium has been heaped upon him, which his statements before the Commission did not tend to remove. We read his evidence with care, and it reminded us of a criticism to the following effect, which we once heard a lady pronounce on Milton's Lucifer. There is nothing sneaking about him: he is bold, and braves the opinions of the universe. A large portion of the blame arising from this document must however be attributed to a person in very high authority. It appears that the proclamation was founded on a letter of the Lieutenant Governor, of the 21st of July 1859, to which it bears a striking resemblance. Mr. Eden says: 'The wording of the Government letter is this; "The riots may confess the en-

“engagement and still have many irresistible pleas to avoid the consequences the planter insists upon.” The wording of the Deputy Magistrate’s Purwannah is; “The Criminal Court has no concern in these matters, because notwithstanding such contracts or such consent withheld or given, ryots may urge unanswerable excuses against the sowing of indigo.” The wording of my letter was; “Such promises can only be produced against the ryots in the Civil Court, and the magisterial authorities have nothing to do with them, for there must be two parties to a promise, and it is possible that even the ryots whose promises or contracts are admitted may still have many irresistible pleas to avoid the consequences the planter insists upon.”\*

There have however been other agencies at work besides the proclamation. The speeches of the Lieutenant Governor in his tour through the county of Nuddea, and the orders issued through his Secretary to the Commissioners of the respective indigo districts, seem to have been as influential for evil as the Baraset document. In attempting to exculpate himself from having given cause for the report that farmers might take advances, and with impunity leave their engagements unfulfilled, Mr. Eden states ‘The Magistrate of Jessore, in the extract of his letter which you have forwarded to me, says that the rumour in the Jessore district was with reference to some expressions which were supposed to have been made use of by the Lieutenant Governor at Nuddea.’ ‘I think,’ says the Rev. G. G. Cuthbert, ‘that the incitement came quite unintentionally from the present Lieutenant Governor, from some remarks made by him when visiting Kishnaghur in 1859, to the effect that the ryots should be left free to cultivate indigo or not as they chose. The excitement caused by this was strengthened by the letter addressed to Mr. Grote on the subject, by the officiating Secretary to the Government of Bengal in October 1859, about a complaint against the planter of Bausberria. This led the ryots to believe, that the Government were on their side, and in favour of their refusing to cultivate indigo.’† Even the Governor General observes. ‘It is much to be regretted that the proclamation issued by the commissioner of Nuddea was so incomplete as not to take cognizance of the position of those ryots who are under engagements to sow indigo in years subsequent to the present year. It is to be regretted that the instructions under which the proclamation was framed did not take distinct notice of

\* Blue Book on Indigo Cultivation in Bengal, p. 589

† Indigo Commission Report, Minutes of Evidence, p. 181.

'the cases of such ryots. The Governor General in Council has reason to believe that in some instances ryots in the above mentioned position considered themselves to be set free from obligations which it certainly was not the intention of the Lieutenant Governor to overlook; and I am to request that, His Honor will consider whether measures should not now be taken to place the matter before the ryots in its true light.\*

Confirmation is lent to the truth of these statements by the spirit Mr. Grant has exhibited. He is occasionally oblivious of the dignity of his office. Planters, who have invested millions in a laudable enterprise, who are the owners of estates in some instances covering an area of many miles, and who in any other country would be addressed in respectful language, are stigmatized as 'these strangers,'† and the cultivators of the soil to whom they make advances designated capitalists. Indigo property to a large amount has been destroyed, and from the insecurity which is every where felt, that which remains has been reduced more than fifty per cent in value; emissaries are scouring the country, deterring well-disposed peasants from following their avocations, and breathing vengeance against factory servants, should they continue to work for their masters. Village after village has repudiated the payment of rent; lands which the planter had purchased and was accustomed to cultivate by his own labourers, ryots seize and appropriate to their own use; troops are located where a soldier has not been required for the last hundred years; gun-boats have cruised on rivers that never bore warlike craft; collisions have taken place in which men have been wounded and slain; yet the Lieutenant Governor complacently declares there is only 'a commercial disagreement between two classes concerned in a particular trade,' and the word 'confusion,' applied to the present state of the country, is not 'justifiable.'‡ In the judgement of a ruler who has made the wonderful discovery of governing mankind by writing machiavelian minutes, what degree of anarchy will render the use of the obnoxious word appropriate? Is it not to be employed till the provinces committed to his care be irretrievably ruined, and the grave close on all European settlers?

In a recent suit it is said to have been discovered that a contract written on a stamp-paper was dated three years before the stamp itself was sold at the shop of the vendor. If correct, this

\* Lord Canning's Letter of the 31st of August 1860, respecting Mr. Grant's Minute.

† Blue Book on Indigo Cultivation in Bengal, p. 196, para. 7.

‡ Mr. Grant's Minute, para. 1.

statement would prove that some one had been guilty of forgery and deserved to be punished; but Mr. Grant deems it a sufficient reason to brand, in the 35th paragraph of his minute, the whole of the planting community. 'It must doubtless have been agreeable to the planters when their suits were tried in such a fashion, that decrees were obtainable on agreements purporting to be four years old, though written on stamps which were in the vendor's shop one year ago.' Among British settlers there are as many high-principled persons, who would shrink from the least approach to villany, as can be found in any other section of European Society; yet he heaps opprobrium on the virtuous and vicious alike, and condemns the body for the reputed fault of a single member. If this style of reasoning is to be tolerated, no reputation will be safe: the slanderer may breathe his pestilential exhalations on the purest and most exalted characters. He may take the license to affirm, that because a Raikes had to fly the country to elude the pursuit of justice, all Indian civilians are speculators, and because one member of a family was supposed to be implicated in the failure of a certain bank, which revealed an astonishing amount of knavery, all the other members of it are rogues. The mere mention of such logic is enough to expose its absurdity, and show the great want of moral propriety in the person who can use it.

With the view of prosecuting the culprit, had the crime been really perpetrated, the Indigo-Planters' Association in the Metropolis requested the commissioner of Nuddea to send down the bond to which reference has been made. After a delay of twenty days it was reluctantly given, and on the 22nd of October appeared in the columns of the Calcutta "Englishman." From a perusal of the document we perceive that no forgery whatever was committed, or even so much as contemplated; though the date is wrong in one place, owing to a clerical error of the native writer, it is correctly stated in the body of the contract. Thus an instrument which had not been read through, for had it been, the grave blunder could not have been made, is said to prove the perpetration of a crime of the most disreputable character. What a dark picture does this present of the courts and the reckless manner of their procedure. Without taking the trouble to ascertain the contents of the bond, Messrs. Bell, Herschel, Lushington, and Grant use it with unsparing severity to injure the reputation of the planters; and now the truth is disclosed, if possessed of the least sensibility, must feel themselves in the predicament of men who have merited reproach and contempt. Had they been officers in Britain, after such flagitiousness, they would not have been

permitted to hold their appointments another hour; they may therefore thank Providence for fixing their destiny in India.

Mr. Grant is accused of interfering with the administration of justice by forcing on the executive authorities his own views of the law; censuring and removing magistrates who pronounced sentences he disapproved, sending a decision of Mr. Herschel's to every official as a model after which all other suits were to be determined, liberating prisoners whose cases presented nothing to mitigate the punishment the tribunals awarded. Though these are charges of a grave character, they are substantially correct, and supported in part by irrefragable evidence which he himself furnishes. An instance is recorded in the *Blue Book*, of his giving his own opinion of the law in opposition to the enlightened views of Mr. Grote, the commissioner of Nuddea, and in favour of the erratic procedure of Mr. Eden. 'The Lieutenant Governor assumes that Mr. Eden's principle, as above stated, is beyond all question the true exposition of the law, as it stands, and he cannot agree with Mr. Grote in thinking Mr. Eden's order inconsistent with that principle.' \* In his letter of the 18th of September, speaking of the proclamation in which he had told the cultivators who had contracted to grow indigo for several years, that they would be free from their engagements at the close of the current season, he says: 'In order then to place the matter before this class of ryots in its true light, a local Notification for the Nuddea Division might be issued calling the attention of those ryots who are under valid unexpired engagements from which they cannot or do not release themselves by proceedings under Regulations V. of 1830, to the fact of their obligations remaining in full force.' Had he only glanced at the Act, or been acquainted with the simple rudiments of law, he could never have used such extraordinary language. The Act affords protection to ryots, who, having fulfilled their engagements and declining to enter into new ones, apply to the court for a settlement of their accounts with the planter; but it distinctly states, that the ryot cannot claim a settlement of his account till the expiration of the period of his contract, and that while any portion of the time of the contract has yet to run the judge has no jurisdiction in the matter. To speak then of valid and unexpired engagements from which ryots do not release themselves is to misinterpret the Act, and use words which the people are sure to understand as a suggestion to set the law at defiance. This is a strange way of correcting the serious blunder which called forth the reprimand.

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\* *Blue Book on Indigo Cultivation in Bengal*, p. 196, para. 9.

mand of the Governor General. Thus by opinions, proclamations, and orders contrary to the letter and spirit of the law, Mr. Grant has done much, indeed almost every thing, unintentionally no doubt, to mislead and impoverish the peasantry, jeopardize an important branch of commerce, drive European capital from the country, and evoke, in every district of his Government, the demon of anarchy.

The experience of the Lieutenant Governor has been confined to the metropolis. He possesses only a very slight knowledge of the ~~vicissitudes~~ <sup>vicissitudes</sup>, has never resided in an indigo-district, and is ~~profoundly~~ <sup>profoundly</sup> ignorant of the interior of the country, but when the executive authorities point out in a courteous manner the errors into which he falls, he answers arrogantly, and forgets he is speaking to gentlemen; and if the 'strangers,' as he politely designates European Settlers, remonstrate against his procedure he becomes wroth, and pens minute on minute till the learned pile threatens to rise to the height of the tower of Babel, and with much of the confusion and perversity which prevailed at the erection of that wonderful edifice. Ignorance in a private individual calls for pity, but in a ruler of forty millions of people, who receives princely emoluments for the discharge of his duties, it must be contemplated as a crime. He had however, he tells the world, a peculiar opportunity in the year 1835 for making himself acquainted with indigo-planting.

Lord Bentinck seeing the importance of Europeans to develop the resources of India, and conduct works of enterprise, wished to afford them every encouragement and facility to settle in the country, and invest capital in agriculture, trade and commerce. Desirous of obtaining correct intelligence, he caused letters of inquiry to be addressed to all European and Native gentlemen who were likely to possess the information which he sought. The answers to these letters confirmed his own opinion that, notwithstanding the partial evils which might now and then attend indigo-cultivation, the planters had done more than any other body of men to advance the material prosperity of India. He gave these papers to the world, and strongly recommended the Court of Directors to adopt towards British Settlers a liberal policy. Unable to resist his arguments, and perhaps awed by his character, the Court gave a cold assent to his measures; but no sooner had he left these shores than steps were taken to reestablish the ancient policy of antagonism to European residents. The Local Government was instructed to request all judges, collectors, and magistrates to give their opinion again respecting indigo-planters. They did so, and their letters are supposed to have been more than unfriendly, but they were not



published to afford those who were attacked an opportunity of defending themselves. They were kept secret, and committed to Mr. Grant to form the materials of a dispatch to be addressed to the Home Authorities. A man with a nice sense of honour would **have recoiled from such an undertaking**, but he has the effrontery to boast of it.

We have no desire to depreciate the service to which Mr. Grant belongs, but wish it well. It is adorned by many persons possessed of great minds and eminent virtues, who for talent, labour, and integrity, have probably never been surpassed, and who will be mentioned to the latest day of our rule as an honour to the English name; still we counsel its members not to wage war against European residents, for the result of the conflict may be foreseen without the gift of prophecy. In Canada and the Cape of Good Hope such a struggle ended in the humiliation of officials, and the creation of parliaments in which emigrants are duly represented, and in what are now called the United States, it terminated in the loss to the Crown of one of its largest dependencies. The unthinking may deem the army sufficiently strong to prevent such a catastrophe, but reflecting persons will see in our military force elements of danger, troops united to British Settlers by nationality and consanguinity, and be apprehensive that the ties of blood, and the feelings of sympathy may break the bonds of allegiance and discipline, and lead them to fight on the side of their countrymen. The wise and virtuous, who take an interest in the welfare of India, would deplore such a collision, and scarcely expect the statesman to survive whose policy provoked it.

Having thus dwelt on the policy of the Bengal Government, a policy which, when made known to the world, all statesmen will emphatically condemn, we shall notice the evils that really attend the planting enterprise, all these, we think, might have been removed without for years injuring the richest province of the empire; but before entering on this portion of the subject it will be necessary to mention the systems of cultivating and manufacturing indigo which prevail in different parts of the country.

In the North Western Provinces the planters purchase the fecula of the indigo in a wet state, and it must have such a consistency that five seers can be lifted with one hand.\* It is obtained by contract with zemindars, or ryots at rates which are

\* C. R. Lindsay Esq., Collector of Furruckabad, says, the required consistency is 2½ seers, or about 6 lbs. Commissioners Report, Appendix No. 26 p. 123; but J. O. B. Saunders Esq., till very recently an indigo planter, states it be 5 seers Report, Minutes of Evidence, p. 182.

regulated by the price which is current when the stipulation is formed, and the whole or part of the payment is made in advance. It is likewise purchased in the open market from persons who grow and manufacture it on their own account, or from dealers who buy it from others and sell it again for profit. The price is from ten to twelve rupees per maund. In the North West Provinces Europeans also manufacture the dye from the plant, but appear not to have done so before the year 1827, when what they had hitherto made was greatly depreciated in value by a largely increased production of a finer quality of indigo in Tirhoot and lower Bengal, which led them to change their system, to erect vats, and manufacture the dye themselves. To be secure against loss the contract for the plant is generally made with a merchant, trader, or zemindar, and the rate paid, which varies with the market, is about 22 rupees per 100 maund, the weight of which is 96 lbs.; if the agreement be made with the ryot himself the price is two rupees less, and he is sometimes required to bring as surety the zemindar or headman of the village where he resides. It is stipulated to pay half the money in advance; however the ryot does not receive it all at once, but at separate stages of the work, one quarter after the first irrigation, and the remaining portion after the first weeding. The bigha is supposed to yield the cultivator a profit of about one rupee, it is occasionally more, but sometimes gives him no remuneration for his labour.

In Tirhoot indigo is cultivated on plantations owned by Europeans and worked by hired labourers; and also by small farmers who grow it on their own land for the factory at a stipulated price. After signing the contract, an advance is made to them of two rupees per bigha, the measurement of which is equal to three Bengal bighas; an additional rupee is paid at sowing time, and another when the field is weeded. The remuneration per bigha for an abundant or average crop is six rupees, eight annas, and for land which happens to yield no return three rupees are given as an allowance for rent and labour. The land is occupied by indigo the whole year, and no other crops are grown with it.

In Lower Bengal indigo is cultivated on farms similar to those in Tirhoot, and likewise by the peasantry who grow it by contract on lands which they hold from the planter or some other proprietor. These different systems are designated *nij*, own cultivation, and *ryotte*, cultivation carried on by ryots. Summing up the cultivation of thirty factories, as recorded in the Report of the Commissioners, we find it to amount to 4,65,482 bighas, of which 3,66,016 are ryotte, and 99,466 *nij*, which gives the

latter a proportion to the former of a little more than a fourth. The period of the contracts into which the ryots enter is one, three, five or ten years. The advances are made at two rupees a bigha, and the rate paid for the plant, which varies at different places, is 4, 6 or 8 bundles for the rupee. On the occurrence of a bad season and a complete failure of the crop, no compensation is made to the ryot for the loss which he has sustained in the shape of rent and labour; the sum he has received in advance is entered in the books against him, to be liquidated in after years; but a part of such debts is sometimes remitted. On certain lands cereal and oil-seed crops are grown with indigo.

An opinion prevails, even among persons otherwise well informed, that indigo is obnoxious in all parts of the empire, but nothing can be more erroneous. It is produced in Rungpore, where lacs of bundles have been sold in the market at the average price of four for the rupee. It is grown and manufactured by the Madras peasantry without advances, and the out-turn of the whole presidency in 1859-60, was 2,531,726 lbs. In the North West Provinces, the Punjab, Sind and Bombay, it has been cultivated and manufactured on a large scale from time immemorial, and its production can be indefinitely extended.

What is the character of planters in the North West Provinces we learn from the letters of Commissioners, Collectors and Magistrates, who, on being requested to communicate their opinions, wrote in the following terms of our enterprising countrymen. Mr. Phillips, the collector of Agra, states, 'that the cultivation of the indigo plant is popular, and that the system pursued has never been productive of affrays or trouble to the judicial or executive authorities of his district.\*' Mr. Thornhill, Deputy Collector of Etah, says, 'The cultivation of indigo is decidedly popular, and the cultivators take contracts with eagerness, and he is unaware of a single instance in which indigo cultivation has led to affrays.†' Mr. Chase, officiating Collector of Mynpoory, 'represents the cultivation of indigo as highly popular, both with the zemindars and the ryots, and as being unattended either with breaches of the peace or with trouble or annoyance, either to the European planters themselves, or to the judicial or executive authorities of the district.‡' The Collector of Benares states 'that the planters are all honourable and upright men, and gain the esteem and respect of the surrounding agricultural community: they are a blessing to the district, and a great assistance to the magistrate. There have been no violent affrays or

\* Indigo Commissioners' Report, Appendix No. 26, p. 121.

† Ditto ditto ditto No. 26, p. 121.

‡ Ditto ditto ditto No. 26, p. 121.

'disturbances within the last ten years about indigo cultivation, and the criminal suits instituted, are almost invariably connected with the disputed possession of fields.\* Mr. F. Gubbins, the Commissioner of Allahabad, says, 'The planters are almost invariably a blessing to the surrounding country. I have known this division eleven years, and have never heard of any oppression on the part of the planters, whom I have on the contrary, always found to be firm supporters of the law, and ever ready to assist in looking after the pence of the district, and in caring for the roads and public thoroughfares in their neighbourhood.†

The complaints which have been made against indigo are confined to Bengal. As reasons for the tranquillity of the Upper Provinces and the present disturbed condition of the Lower, it has been stated that the cultivators of Hindostan are superior in honesty and straight-forwardness to those of Bengal; besides here the jurisdiction of magistrates is more extensive, which has rendered the enforcement of the law by the executive authorities impossible, the planters have been necessitated, in order to defend their property, to administer a rough kind of justice themselves, or accept the alternative of being reduced to beggary. Doubtless much injury has arisen from these causes; but there are other evils that cannot be thus accounted for, which deeply affect the condition of the labouring poor, and therefore cannot be a subject of indifference to any man possessed of comprehensive views and generous emotions. Such a person will be prepared to give the peasantry a hearing, to examine their grievances, and point out the way to redress them.

It is alleged that ploughs, carts, oxen, and labourers are pressed for the cultivation of factory-lands and that if wages be given, which, it is said, is not always the case, they are generally much below the market rate; that implements of husbandry belonging to recusants are abducted to prevent them attending to other crops, and for trivial faults or offences which have not been committed they are subjected to heavy fines, and their goods distrained to realize them; that fields of hay and thatching grass, and trees for fuel and building are cut down, and taken away without payment, or for such trifling remuneration as amounts to not one tenth of the value of the property carried off; crops of rice and other grain are destroyed, and the land sown with indigo by force; ryots are seized, flogged, tortured and imprisoned, and if intimation of this treatment be conveyed to the executive autho-

\* Indigo Commissioners' Report, Appendix No. 26, p. 11-920.

† Ditto ditto ditto No. 26, p. 118.

rities, to elude the police they are hurried from factory to factory, where they are kept in durance till their spirits bend, or they can bribe the guards to allow them to escape. That half a century ago such things may not have been infrequent, and that some of them now and then happen in the present day, cannot be denied. It may be said, and probably with much truth, that when they do occur, they are done in almost every instance by the factory servants and without the knowledge of their master; but however well established this statement may be, it does not lessen the sufferings of the victims, or palliate the cruel injustice to which they are subjected: the owner of an estate must to a great extent be considered morally responsible for what is transacted upon it, and those who are oppressed naturally attribute their wrongs to him, though he may not be the immediate author of them. When such things however really do happen, what is the legitimate inference to be drawn from them? Not only that an individual planter or his servant is proved to be worthy of condign punishment, but that the rich can grind the faces of the poor, and the strong oppress the weak with impunity; that the police, and the tribunals are inefficient, and, as far as the protection of person and property is concerned, there is no Government whatever.

The cultivators complain that they have no voice in the selection of the fields appropriated to indigo, and that instead of a fair proportion of different kinds of land being taken, all excepting the best is rejected, and the worst being thus left for grain and other produce, the harvest on them is less abundant than it otherwise would be. But when the quantity of land appropriated to the plant is compared with the area devoted to other productions, it will be found to be exceedingly small, so that the above objection can affect the interests of the farmers only very slightly: still, wherever it exists it should be removed, and perfect freedom be secured to them in fixing on fields for this or any other crop.

They likewise affirm that the factory measurement always exceeds the quantity of land they stipulated to sow. The planters admit that the indigo bigha is generally larger than the zemindari and government standard, but as the cultivators are perfectly aware of the fact they say fraud is not committed or even intended. Believing this to be correct, and we have not the remotest idea of imputing to them a desire to overreach the peasantry, we yet cannot but think it very advisable to assimilate the indigo acre to the measure which is adopted in the same district or county for lands devoted to other crops. Though conformable to long established usage, it cannot appear otherwise than exceedingly

anomalous, that a field of certain known dimensions, which is sown with rice this season, should measure less next year when taken for indigo. As the planter pays for the produce by the bundle, and not according to the space over which the seed is scattered, to perpetuate this singular custom can yield him no advantage, and as it is one of the reasons assigned by the farmers for their opposition to indigo, to continue it can only excite further irritation, and prevent an amicable settlement of present differences.

The fraudulent computation of the produce forms another grievance. At the time of cutting the farmers bind the indigo in bundles, and with carts or boats convey it to the factory, where with a chain which is six feet long two or three bundles are measured, and by these the quantity of the rest is conjectured. If the stalks of the plant be made to protrude at each end of the bundle, and the chain placed over the soft or leafy part in the centre, it is possible to press into one bundle what ought to make two, and this it is alleged is often done if the factory servants be not bribed. Those who have the happiness to be ignorant of the tortuosity and fertile resources of Hindu and Mahommedan minds will perhaps think these gains are made with the cognizance of the planter, and carried to his credit; but it is highly probable the utmost precaution is used to prevent him obtaining the least knowledge of the fraud. The native agent, who superintends the measurement, has persons among the cultivators who, with the hope of being well treated themselves and receiving a small pecuniary present, readily consent to aid him in the accomplishment of his designs. These allow more indigo to be entered in their names than they have actually brought, with the understanding that the price of it is afterwards to be paid to him, and thus by a circuitous route the proceeds of iniquity travel to his own coffers. It appears to be sometimes the case that instead of counting the bundles in a load, and estimating them by the average bulk of three or four, no measurement is taken, or any enumeration made, but the indigo is thrown into the vat as soon as it arrives at the factory, and the quantity determined by the will of the agent, who is prepared to write in the ledger more than it really is, if paid, and less, if the douceur be not offered. Cannot arrangements be made to prevent this kind of knavery? At the time of cutting the plant persons selected by the farmers in conjunction with the planter's agent might make a rough estimate on the field of the produce of each cultivator, then accompany the carts or boats to the factory, and there see it weighed. As in measuring with the chain much depends on the strength of the man who compresses the bundle, it can seldom

be a fair estimate of the produce, and is likely to give birth to the suspicion of fraud even when there is not the least intention of practising it; this method of computing the indigo crop should be instantly abandoned.

The system of advances is of native origin, and existed ages before Englishmen visited India. Just as it has been in force from time immemorial, it prevails with little or no modification now in every kind of business. It is adopted by the Government in conducting the commissariat, the department of public works, and the monopolies of opium and salt. Merchants, miners, traders, and manufacturers are required to conform to this ancient custom, and even householders who need a carpenter, mason or other artizan to execute a few repairs, are asked to pay a portion of the remuneration before the work is touched. If then farmers object to this system of indigenous growth, which Hindoos and Mahomedans of every class use their utmost endeavours to keep in vogue, it cannot be to the system itself, but to the manner of its operation, and the consequences which it entails. The results of which it is productive are of a grave and painful character, and if due attention be not paid to them indigo must eventually be abandoned, and the millions invested in it diverted to other climes. This would certainly be a great calamity, for every intelligent Englishman who is acquainted with inland counties, cannot fail to perceive how they languish for the want of capital to develop their resources, and European wisdom and energy to originate and conduct works of enterprise. Then divesting ourselves of all feeling arising from difference of race, and with minds unclouded by prejudice, let us endeavour to behold the evils of which complaint is made in the light in which they appear to the poor man who feels their pressure, and in which they would appear to us were we in his place. It is stated that a large portion of the money paid into the hands of the farmer by the planter himself is absorbed by factory servants; the amount thus purloined is reckoned by different persons to be half, a third, or a fourth, and though it is impossible to ascertain the exact sum it is probable it is seldom less than an eighth or a twelfth. Menials in private establishments, mercantile and governmental officers extort similar gratuities which are surrendered to escape annoyance, trouble and vengeance which it is apprehended would be inflicted in case of non-compliance. But the custom, however noxious and widely spread, was created, and continues to be fostered by the abject spirit of the people, consequently the remedy is in their own hands. Let them with a calm firmness they have hitherto not exhibited refuse to be victimized, and at once point out to the

planter or magistrate the villains who try to wring from them the proceeds of their toil, and in a few months extortions which have been practised for centuries, will every where cease. But it is declared to be almost impossible for a farmer to leave home to go to a distant court to lodge a complaint, because in all probability he would be waylaid, beaten, brought back and ruined. In nearly every Concern the native agents as a matter of course exercise some authority. If the planter be not thoroughly acquainted with the vernacular their power is great; and where there is a frequent change of managers he is for a time entirely in their hands, wholly dependent on them for information about the accounts and the character of the respective cultivators; and this influence is employed to crush persons who resist their tyranny, and to frighten the rest into submission. Hence it happens that a vast amount of evil is perpetrated which never comes to light, the sufferers deeming it expedient to observe a profound silence. We are aware of this deplorable state of things, and yet still recommend a bold and decisive step to be taken, for to persons who refuse to adopt a manly course of action by bringing their grievances to the notice of the executive authorities, the kindest masters, the best human laws, and the most competent administrator can be of no service, and the only prospect open to them is to bear what oppressors may please to inflict, till death terminate their misery.

Some amendment is imperatively called for in drawing up indigo-bonds. A contract is a mutual bargain made without force or fraud for a legal object, and necessarily supposes the stipulating parties are free to deliberate before assenting; and when signed, neither reason, morality, nor law permit abridgment, addition, or change. If one of the parties be rich his wealth gives him no power over the document, and if intrusted to his care it is not so much from a consideration of his social position as from the belief that he possesses the honour which usually accompanies it, and would not for any pecuniary advantage, however great, commit forgery, the basest of crimes. No change can be effected except with the consent of the respective persons who affixed their names, which would be equivalent to cancelling the agreement. If this be a right view of such legal instruments, inducing the peasantry to sign blank papers which may afterwards, as circumstances dictate, be filled up without their cognizance, is a practice which must be emphatically condemned. We do not mean to affirm that it is adopted to swindle the poor out of their earnings, or that the document, on which any thing may be written as coming from themselves, is held up as a rod of iron, to be used, should they prove restive, to bend them to the



will of their oppressors. We are prepared to give due consideration to the reason assigned for its adoption. It is pleaded as an apology for this proceeding, that sufficient time cannot be commanded, owing to the reluctance of the cultivators to give it for an object which they regard as a mere matter of form, and as on a large plantation several thousands come to take advances on the same day, it is found to be impossible to get them to wait till the bonds are properly made out. Here a question arises, what is such an instrument worth, and to what purpose can it be devoted? Into a court of law it cannot be taken, for every judge, except he were ignorant or corrupt, would pronounce it invalid. In the hands of the honest planter, and rectitude is a general characteristic of our countrymen, it can be of no use whatever; forging the requisite legalities, and supporting them by the necessary amount of perjury is a thought that would never enter his mind, and from which he would recoil with loathing and detestation. The impulsive, headstrong and reckless may have no proneness to deeds which betoken a spirit of reptile-meanness, but the cold, hard, and sordid, who can plough up fields of grain, kidnap recusant ryots, confine them in dark holes, beat and starve them into submission, which things have sometimes been done, can give no moral guarantee of his incapability of filling up a blank bond, and turning it to his pecuniary profit. To hope he will be moved from villany by the ruin, sorrow and anguish it creates around him, is to expect grapes from thorns, figs from thistles, and tenderness from stones; for he who wages war against the poor and helpless, lays aside the attributes of humanity for those of the fiend. Why then go through the farce of signing blank papers of which ninety-nine planters out of a hundred possess too much honour to avail themselves, and which can benefit only the bad man that may, as in other communities, now and then come among them? In our city-marts, manufacturing towns, and agricultural districts at home such instruments have never made their appearance, and would be contemned as altogether foreign to the British character. The early European settlers in India found them in vogue, and floating with the stream drifted into the native practice. But now the procedure of planters is scanned by those who watch for their halting, and except they intend to furnish stones for their enemies to pelt them with, this reprehensible custom should be immediately relinquished. The difficulties of altering the system may be great but are not insurmountable. Large firms in Birmingham, Manchester and Leeds, while the works are going on as usual, pay the wages of several thousand hands in the course of an hour or two: and, provided the body of the contract

were previously written out or printed, which might be easily done, and there required to be entered only the position and quantity of the land to be sown, the price to be given for the produce, and the signatures of the contracting parties, and witnesses, a planter, with his European assistants, working hard from morning till night, might get through the labour in a day. If the area of the Concern be very large, and the distance to the chief factory a long journey to many of the farmers, it might be divided into several portions, and the business be done in each. In this manner all the contracts might be finished in three days or a week. To remove the objections which have been raised in courts of law owing to such documents being attested only by servants, who were not believed to be exactly free agents in the matter, two respectable men of the village in which the cultivator resides should, on his part, witness and affix their signatures to the bond, and the planter have the same number of witnesses; and two copies be made of it, the original to remain with the factory records, and the duplicate with the farmer. This would be conducting the affair in a business-like way, every thing would be as clear as noonday, no misunderstanding could afterwards arise, and consequently no suspicion of oppression or fraud. To diminish the period occupied in drawing up bonds, it has been suggested that a respectable man of each village or division of a district might make arrangements with the cultivators, and then taking the whole responsibility on himself contract with the planter. Something of the kind is done in the opium department at Gya and Patna, and in the North West Provinces in indigo. As far as the expediting of business is concerned it has much to recommend it, but the creating of middle-men, who have been injurious to the interests of every country in which they have existed, and who in the course of time would, in all probability, become as fraudulent as the present race of factory servants, is a grave objection to it. Whatever removes the planter and cultivator to a greater distance from each other opens a wide door for the entrance of every thing which is to be deprecated. It is only when they transact business without the intervention of a third party that it is likely to be unaccompanied with injustice, and prove mutually advantageous.

Having pointed out the manner in which contracts should be made, it may be well to inquire if legal protection be needful to insure their fulfilment. Generally speaking, class legislation is repugnant to the spirit of justice, inimical to the prosperity of a country, and destructive to liberty, and is therefore to be deprecated; but sometimes it is called for by imperative necessity, and conducive to the good of the realm. A real statesman will

acquaint himself not only with the abstract principles of law, but with the characteristics of those portions of the community among whom they are to be brought into operation, and will frame measures which combine theoretical knowledge and practical wisdom. For example, on the restoration of peace after intestine war, he would make a distinction between those sections of the nation who to a man stood by the Government in the hour of peril, and those who fought against it; and if he deemed it expedient to disarm those who had been passively or actively hostile to the state, he would never subject to the same ignominy, those who had devoted their influence and lives to its service. These he would regard as a tower of strength, and be rather desirous of giving them such an organization as would render their services still more valuable in future emergencies. But charlatan legislators, for the maintenance of a political formula, which, they but imperfectly understand, would treat the loyal and rebellious alike, and thus, unintentionally, do their best to estrange the friends of order, bring back anarchy, and set the country in a blaze. Sir Barnes Peacock, Sir Charles Jackson, and Sir Mordaunt Wells, by their opposition to the Arms Bill, have placed themselves among the wise legislators of the age, and all who are capable of comprehending the exigencies of our Indian empire, will offer them the tribute of respect mingled with gratitude.

Whether the circumstances in which the planter is placed be peculiar and require special laws to meet them is a question worthy of calm consideration.

If the non-fulfilment of the contract arise from circumstances over which the farmer has no control, such as the failure of the crop owing to the want or excess of rain, he should be held in no way responsible for it. Having sown the quantity of land for which he stipulated, and delivered the crop, whether plentiful or otherwise, which it produced, he has virtually fulfilled his agreement, and should the out-turn not cover the advances it must be remembered that he has expended more than double their amount in rent, ploughing, harrowing, weeding, and reaping. In a bad season indigo is a great loss to the ryot, and it is not too much to expect that in Bengal as in Behar, the other contracting party should bear some portion of the risk. Considering the small profit realized in a favourable year, for the planter to debit the cultivator with the whole of the loss is to make misfortune a reason for the perpetration of injustice. If he transport his indigo to the Calcutta or London mart the carriers will not be responsible for accidents caused by the elements, and to avoid the loss to be apprehended

from them he must take the precaution to insure his property. Where then is the justice of making the ryot pay, because Providence sends unpropitious weather? The scanty crop, in the rearing of which he has sustained a pecuniary loss, he delivers to the planter, and one would think equity could demand no more from him; but he is actually fined for the effects of flood and drought, and if unable himself to make compensation for ravages committed by the elements, the burden falls on his children. This brings the farmers under the yoke of an interminable servitude, and rouses their angry feelings. Some of them are now liquidating the debts of their grandfathers, others are greatly augmenting them, and losing all hope of gaining their freedom; and, if the system continue, the next generation will waste its energies in vain attempts to repay advances made to the present. What little prospect there is of the accounts ever being settled may be seen from the evidence given before the commission. As all factories have large out-standing balances, the following statements relating to one concern will enable the reader to form a pretty correct idea of the rest. It appears that the balances owing by the ryots to the Bengal Indigo Company, have been from thirty or forty years in accumulating, and now amount to £77,800; £31,600, it is stated, are in the course of being paid off, but the remaining £46,200 are not immediately recoverable. Indeed there is a suspicion abroad that the planters do not wish these debts to be entirely liquidated, as they are said to give them great power over their tenants: by a sudden demand for payment, and the threat of lodging them in jail if it be not made, they manage it is affirmed, year after year to force reluctant farmers to cultivate indigo. We are not prepared to say out-standing balances have never been turned to such account, but we think such use is now seldom made of them. The planters as a body, would no doubt rejoice if these debts were immediately paid. In many instances they would constitute ample fortunes, and enable proprietors to return to Europe in affluence, who, if things proceed as at present, may soon be reduced to beggary. Whoever is acquainted with the Natives in the way of business, is painfully cognizant of their readiness to receive advances, and of their reluctance to repay them, either in the shape of cash, labour or produce. Knowing these stubborn facts, while we do not discredit every thing, we are disposed to make large deductions from reports which are circulated to the disadvantage of British Settlers.

The greatest hindrance to an amicable adjustment of present differences will be these out-standing balances. Most of them are lawful debts which the cultivators have contracted, and con-

stitute a portion of the property of indigo concerns for which each successive proprietor has been charged when he made the purchase; consequently the courts can use their authority only to enforce payment, or inflict punishment for its not being tendered; and this instead of improving matters would in most cases ruin both parties. The only way to remove the impediment is for the planter to make concessions like those suggested by J. Forlong Esq. On the ryot agreeing to sow indigo for five years and completing his engagement, to remit the old balances, and to prevent similar debts being incurred, to give him, in the event of a failure of the crop, a reasonable allowance for rent and labour.

Under the present law the planter has no effectual remedy either against the fraudulent practices of the cultivator, or those of the ill-disposed and unscrupulous zemindar. Even with a decree in his favour he seldom obtains redress, for it is found to be almost impossible to execute it. If circumstances be favourable it is probable that the first trial of the case may be finished in two or three months. This however may turn out to be only one stage in the business; the defendant has the privilege of appeal of which he will perhaps avail himself, and if there happen to be many cases on the file, several months may elapse before the suit be called for, and when brought on, it may be remanded to be tried anew, which will cause further loss of time. At the termination of the new trial a special appeal is admissible, and as the object of the defaulting ryot is not to obtain a reversal of the judgment, of which he may not have the least hope, but to cause delay, and prevent the decree being executed, it is highly probable that this appeal will be made. When the higher has confirmed the sentence of the lower tribunal, and ordered it to be carried into force, a notification of the sale of the property, consisting of huts, cattle, crops on the field, and grain in store, is issued; then numerous claimants come forward, and prove by well concocted documentary evidence that nearly every thing was mortgaged to them long before the suit of the planter was instituted. It is true that Regulation 11, of 1806 was framed to prevent such alienation, but it requires, and properly too, proof of intention to alienate before attachment can be made, and as it is very difficult and often impossible, as all who are acquainted with the country know, to procure proof of such intention, this act seldom affords the plaintiff redress. If he be not already weary of the uncertainties of the law he may try to get the self-impoveryished debtor imprisoned, and, to mend matters, thus throw away more money by paying for his maintenance while in jail.

A judge of the chief Court of Appeal says. 'The planter is obliged to make large advances, and has no security but the good faith of the ryot, who is at the beck and nod of his zemindar or mahajun. He has a large interest at stake, and can never recover the loss incurred by failure of the ryot to meet his engagement. I may here instance the powerful influence a zemindar has over his ryots. When I took charge, as Magistrate of Nuddea, the Raja of Berhampore had a quarrel with Messrs. Hills and White, and forbade the ryots to cultivate indigo, and not a man for miles round certain factories would take advances. I proceeded to the spot, examined many of the ryots, they had nothing to complain of, acknowledged that they had received liberal advances, but said they would not cultivate indigo any more, though they had done so for years. Nor were Messrs. Hills and White able to make advances until they had taken the Mehal in Putnee, and paid a handsome salamee to the Raja. If the influence of the zemindar be sufficient to prevent the ryots taking advances, very little exertion of that influence is, I apprehend, sufficient to make them break their contracts, and it is from the effects of this baneful influence that planters ought to be protected, for they cannot, under any circumstances, obtain redress against the real party who causes their loss.' \*

Losses arising from similar fraud are sustained in all other branches of business. The fellers of timber in the Morung, Chittagong, and Burmah are in the habit of receiving advances, and of selling the wood to third parties. Large advances are also made to dealers in cocoons, and it not unfrequently happens that instead of taking them to the manufacturer with whom they had contracted they dispose of them at the market price to another person, and thus by two sales of the same article obtain double its value. In the grain, oil-seed, sugar, hemp, and cotton trades, the same dishonesty is constantly practised. The sufferer by the fraud might prosecute the rogues in the civil courts, but as such prosecution is expensive, exceedingly dilatory, and the obtaining of justice quite uncertain, he seldom thinks it worth his while to appeal to those tribunals.

As the old law was found to afford no practical remedy for the loss and inconvenience which manufacturers, tradesmen and others sustained in the Presidency Towns from fraudulent breaches of contract by artificers, workmen, and labourers who had received advances, the penal Act XIII of 1859, was framed to meet the emergency. As in the interior of the country the same evils are experienced in every branch of business a similar

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\* G. Loch Esq. Blue Book, on Indigo Cultivation in Bengal, pp. 63-4.

law ought to be enacted to check them, and small Cause Courts established for its summary administration by European judges; but to be effectual and afford proper security to both capital and labour it must be made to reach not only fraudulent contractors, but all persons who are found guilty of seducing them by bribery or intimidation to break their engagements.\* Every individual purposing to avail himself of the law, it is urged, should be under the necessity of sending his contracts to be entered in the records of the court, within ten or twenty days after their execution, and no prosecution be allowed on bonds presented when the period for their registration had elapsed. By a strict observance of these provisions it is thought contracts would be drawn up on the day they were dated, and not written, as is now sometimes the case, just before the suit is instituted, and with the base design of bringing the defendant to ruin. At first sight this appears plausible, but will hardly bear examination. In the event of a trial being instituted, all that the due administration of the law requires is, that the judge should be furnished with irrefragable proof of the bond being genuine, and this is secured by its being made in duplicate, and a copy remaining with each of the parties, signed by their respective witnesses. The most vigilant guardians of such documents are the individuals personally interested in them, and who would sustain pecuniary loss should they be tampered with. In every part of the civilized world this consideration is deemed sufficiently powerful to make each contractor watchful lest he be overreached, and to detect and punish forgery should it be practised. It is however contended that this is not enough to protect the rural population of India, yet the ryots are not intellectually inferior to the peasantry of other lands. They know the relative value of the rupee, anna, gunda and cowrie, and likewise the difference between a week and a day, a year and a month; they marry, exercise parental authority, and perform all the duties of life; they enter courts of law as witnesses both in civil and criminal cases, and decisions of the greatest importance are founded on their testimony; they are pronounced capable of paying proper regard to their own interest in growing and disposing of every kind of produce excepting one; it is only when indigo is in question that the Government considers them children, and thinks it advisable to make them register their engagements. To give permission to register bonds and afford every facility for doing so would be proper, but to render it compulsory would

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\* Since the above was written, a law has been enacted which constitutes breach of contract a criminal offence.

defeat the ends of justice. It is highly probable that in the rural districts not three per cent of the people can read, and the number able to peruse a contract, so as thoroughly to understand it, is considerably less. In such a state of things, the best guardians of the labouring poor are the respectable men of the village in which they reside, whom they are accustomed to consult in all matters of importance, and of whose counsel they can avail themselves without the expenditure of money or time; but the advice and aid, which, as neighbours, they are ever prepared to give at home, they would decline to travel to the record office and tender there, so that were the registration of bonds made compulsory, there would necessarily arise a class of scribes, composed for the most part of persons who attend the present courts, in whom generally speaking little confidence can be placed, who falsify documents they are paid to write if the douceur from the opposite party be large, purloin papers from the file and place in their stead others of a different character, and can be bribed to perform any amount of forgery and perjury that may be required. Did the truth of these statements need confirmation, we might refer to the portrait J. Forlong Esq. has drawn of an individual pleader, which is a graphic likeness of the majority of the class. That gentleman says: 'I may give you a specimen of their character from what one of the leading mooktyars of the place said to me two or three years ago. I met the man accidentally, and inquired how he was getting on, he replied, "Very well, but that he was getting too old to carry on the business of certain wealthy zemindars any longer." I said to him, that I thought they were by far his best clients; he confessed they were, but he was too near the "Ganges" or death, to go on with the business. He then acknowledged that it was the rule of the country and the custom, for a mooktyar to tell a witness all he had to say, but added, "I am obliged also to get all the witnesses, and, worst of all, forge all the documents, and this I cannot go on doing." This was stated to me without the slightest concealment or sense of shame, and as calmly as if the man were talking about the state of the weather. I consider this to be not only a true illustration of the morals of mooktyars practising in the courts, but also a sure indication of what is daily and hourly going on in every court in Bengal.\*

The consequence of throwing the industrious poor into such rapacious hands can readily be imagined; but suppose honest scribes could be obtained, the magnitude of the business would present a serious impediment to its being speedily and properly

\* Indigo Commission Report, Minutes of Evidence, taken at Kishnaghur, p. 16.



done, for in one county probably as many as 50,000 contracts would have to be written at the same season of the year. In 1835, this important subject was submitted to the Law Commissioners, when Lord Macaulay wrote an able minute upon it, in which he says, 'A great number of registrars would be necessary to conduct the examination into all these agreements. And the registrar intrusted with the conduct of such an examination must be no common man. He must be not only a man of sense, but what in this country it is hard to find, a man of independence and integrity, a man who will dare to stand up for a poor native against a rich Englishman. It would be hard to find such functionaries in sufficient numbers. It would be absolutely necessary to pay them well; and after all it may well be doubted whether the advantages which the labourers would derive from such a system of guardianship would compensate for the journey, the attendance, the trouble, and the loss of time.'

'The general rule which is followed all over the world is this, that no judicial verification of a contract shall take place till it is alleged that the contract has been broken. At present it is probable that not one contract in a thousand is in any country on the earth the subject of a law suit. If the immense majority of contracts were not performed without legal investigation and decision, the world could not go on for a day.\*'

It is stated the cultivation of indigo is not remunerative, and, except when the plant is grown with cereal or oil-seed crops, it is generally admitted that the profit is small, but reference is sometimes made to the collateral advantages afforded the peasantry, as being a compensation for the little gain realized in favourable years, and for the loss sustained in bad seasons. These advantages are the granting of loans without interest; the circulation of capital in the districts where factories are situated, the payment of household expenses, domestic servants, overseers, clerks, ploughmen, labourers, carters, and boatmen; protection from oppression inflicted by the police, zemindars, and survey-ameens; acting as arbitrators in the settlement of family-quarrels, assaults, village-feuds, claims of creditors, boundary questions, and things of a similar nature; rendering great pecuniary aid in making wells, reservoirs, water-courses, roads and bridges; and the establishment of hospitals, dispensaries, and schools. But such incidental blessings accompany the steps of Englishmen wherever they settle, and ought not to be considered a justifiable reason for underrating the value of produce or

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\* Judge-Commissioner's Report, Appendix No. 14, pp. 82-3.

labour. They are the fruits of civilization, and can no more be sold in the market than rain and sunshine. It is better to regard these collateral advantages as inseparably connected with our sojourn in India, and strive to augment them a thousand fold.

Previous to the insurrection an increase had been made on many plantations in the wages of day-labourers, and also in the hire of ploughs, carts and boats; and though the remuneration for indigo had a long time been stationary, there was reason to believe it could not have continued so, and that the farmers would have obtained the real worth of the plant without the interposition of the executive authorities of Government. Had the contending parties been left to settle between themselves the value of this commodity, as they do that of every other, and the magistrate used his power only to punish breaches of the peace, and secure to all persons perfect freedom in the exercise of their legal rights, there can be no doubt that the planter, if he found it to be necessary, would have offered the highest price he could afford to pay, and the ryot swayed by a regard to his pecuniary interests would have accepted the rate, if it appeared to him likely to be advantageous. Thus a great change would have been quietly effected in this important branch of agriculture and commerce. Had it happened that they could not come to terms, it would have proved that indigo could not compete with other products, and the millions invested in it would gradually have found their way to climes more favourable to the cultivation of the plant. Non-interference with capital and labour is a law dictated by the soundest policy, strictly observed by British statesmen, and departure from it has ever produced, what is now witnessed in Bengal, results of the most disastrous character. Had it not been for Mr. Grant's uncalled for interposition, the planters and peasantry would have arrived at an amicable arrangement, but the difficulties of making it he has increased a hundred fold. He has excited a spirit of contempt for the rights of property and the sanctions of law such as had never appeared in the provinces over which he presides, since  
 "they came under our rule, and had he possessed only a portion of the talent of an ordinary administrator, their tranquillity, uninterrupted more than a century, would not have been disturbed. In the North West Provinces and the Punjab it will be found necessary to increase the remuneration for the indigo-plant, for the price paid there is not higher than what is given here, but Mr. Edmonstone, and Sir Robert Montgomery, who have ruled those portions of the empire with wisdom, will leave the parties concerned to effect the change

themselves, and not by insane meddling ruin both capitalist and labourers.

During the last three years rice and other grain have sold at prices unusually high, consequently their cultivation has been much more lucrative than formerly; this has rendered an increased rate of remuneration for growing indigo absolutely necessary, and unless it be given, no new arrangements that may be made can be of a permanent character. By comparing the profits of ten years' indigo cultivation with those of rice for the same period, it might be ascertained what is needed to make the annual average gain of the former equal to that of the latter. As the augmentation required would not be the same in every district, and would be determined by a variety of circumstances, no sum can be mentioned that would be suitable in all cases. The wisest course is to leave the parties concerned to settle the matter, without the interference of the state. They are fully alive to their own interests, and quite capable of forming a sound judgment respecting them. There need be no apprehension of indigo having to be abandoned because the profits realized from it are too small to afford the ryot a higher remuneration for the plant. Speaking of the expense of producing it, and of the market-price of the dye, W. Moran Esq. says, 'In Tirhoot, for the last three years, the seasons have been moderately favourable, whereas in Bengal, it has been the reverse. In these years, I should say that the average of cost in Tirhoot, exclusive of interest and Calcutta agency charges, was about 110 rupees a maund, and in Bengal for the same period from 140 to 150Rs. But in an ordinary run of years, I should think that they would make the indigo in both divisions, at about the same cash cost. With the exception of a few Bengal Concerns, celebrated for fine quality, there are now scarcely more than ten or fifteen rupees difference between the Bengal and Tirhoot indigo, in favor of the former, Tirhoot indigo having of late improved in quality very much. The average selling price of Bengal and Tirhoot indigo has been for the last three years, say for Bengal 210, and Tirhoot 195 to 200.\*

We feel persuaded, that the planting enterprise will contribute to the material prosperity of the country, and indirectly to its spiritual welfare, and therefore wish to see it conducted on a larger scale. Instead of regarding it as opposed to religion, we class it, when rightly pursued, among other legitimate branches of trade, which are not only sanctioned by Christianity, but have

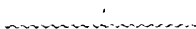
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\* Indigo Commission Report, Minutes of Evidence, taken in Calcutta. July 24, 1860, para. 28.

flourished most under its shadow. The gospel and commerce have gone hand in hand eighteen hundred years, and cannot now separate as enemies. At present, however, we are not sanguine about the fortunes of the planters, but fear many of them will be ruined, and that at home the religious and political world will vie with each other in loading them with contumely, for the accounts which have been published will doubtless make a deep impression, and kindle in the bosoms of the humane burning indignation; but when sophistry, error, and malignity have exhausted their strength, the voice of truth will gain a hearing and turn the tide of opinion; for the English, though liable to mighty prejudices, are honest to the core, and when once they begin to reason their characteristic love of fair play will resume its influence, and the effusion of their wrath will descend on the heads of the real culprits.

Before concluding this paper we beg to observe, that among the boons European Settlers require, none can be more important than permission to purchase land in fee simple, unlogged with conditions, and a representative government. In other dependencies of the Crown land has been thus disposed of, and after a struggle more or less protracted emigrants have entered the national council. Love of freedom, self-respect, prudence, and indomitable energy gained the battle, and the same qualities will achieve the victory, in India. After these changes have taken place there will still remain an evil of great magnitude, the gross ignorance of the people, which impedes nearly every branch of business, seriously affects the administration of justice, and in 1857 proved sufficiently powerful to jeopardize the British Raj. Sound knowledge, both secular and religious, must be given if we wish to raise the natives, and accomplish the grand purpose for which providence committed India to our charge. This is a work not for the clergy alone, but in which laymen of every section of the Church have to take a part, and here, as is generally the case, interest and duty are united. The gospel brings in its train all earthly benefits; in every country where it has been propagated it has nourished liberty, trade, commerce, science, literature, and the arts; so that irrespective of the happiness of an immortal life which it communicates, it sheds on all who come within the range of its influence a plenitude of temporal blessings. When educated and christianized the rural population of India will be a noble race, and rank among the finest peasantry in the world. Such we believe the ryots will one day be. In feeling this assurance we do not dream, but cherish a hope encouraged by Heaven. The time will come, and may be nearer than external appearances would lead us to suppose,

when the mummeries and villanies of a superstition, which has ruled its votaries with a rod of iron for thousands of years, will cease to be acted, heathen shrines be forgotten, filthy songs, chanted in honour of filthy gods, be effaced from the memory of the people, and the church-bell be heard in every village, calling men to tread the courts of the Lord and hallow the sabbath.



- ART. III.—*Modern Painters*. Vol. V. By John Ruskin, M. A., London: Smith, Elder & Co.
2. *Homer and the Homeric Age*. 3 Vols. By W. E. Gladstone, M. P. London: J. H. & J. Parker.
3. *History of England from the Fall of Wolsey to the Death of Elizabeth*. 4 Vols., By James Anthony Froude. London: J. W. Parker.
4. *History of Friedrich the Second, called Frederick the Great*. Vols. I. & II. By Thomas Carlyle. London: Chapman & Hall.

A T first glance it will seem as though it were absolutely impossible that the writers, whose names head this article, should have any thing in common. And it will be as well if we at once confess, that we have no hope either of forging any new links between the subjects of which they have treated, or of propounding any novel theory of the universe, which may embrace them all. But the most cursory reader of their recent works must have been struck by one peculiarity, which he cannot deny to any of them. However interesting the book, however numerous and beautiful the new views of things which it may have disclosed to him, however great the pleasure he has derived from its perusal, yet, in the majority of cases, he closes it with convictions diametrically opposed to those which the author had hoped to produce in his mind, or at best, he rises with heavy doubts upon the very point which it was the main object of the work to establish conclusively. The banks of the river were perfect, but it has ended in a quicksand, or, worse, in space *pur et simple*. For instance, there is no work on art, Modern or Ancient, at all comparable with the five volumes to which Ruskin has affixed the title of *Modern Painters*. They present a somewhat formidable appearance, but are in point of fact, entirely free from any technicalities that may not be understood by the merest tyro. They are full of original and subtle criticism not only on pictures, but on poetry also; nor can any body read them without acquiring both facts and principles, whereby he may be enabled to turn what critical power he may be gifted with, to better account than the supercilious detection of spots in the sun, which is the common criterion of taste. Above all, they open a man's eyes to what may be called the laws of external form—the laws which regulate the variety of shapes and colours taken by clouds, rocks, trees, 'the earth and every common sight.' These laws, again, are given in no dry scientific definitions, but are derived, traced and illustrated, not from pictures only, but from our own everyday experience. And lastly, Ruskin's language, though at times undoubtedly marred by an absence of self-restraint, and then defaced by an extra-

vagance verging upon rant, yet is at once copious, perspicuous, and distinguished by an eloquence all its own.

Such and so agreeable is the road—beautified and diversified in every imaginable way by the genius of its designer. Yet it is only the road; and what is the goal towards which its maker conceives it to be but the means of conducting those who may be tempted to tread it? There are few to whom it would not be a mortification to know, that most people look on them as being only *accidentally* of any use in the world; that if they were successful in their intentions they would be a nuisance, or do positive harm, but that, thanks to the fact that their intentions are of far too chimerical a nature ever to be realized, or to obtain any dangerous number of partizans, their exertions and struggles towards those intentions can be looked at *per se*, and may be thus indirectly beneficial or not, as the case may be. Our deep sense of the obligations owed by the world generally to Ruskin, has already been expressed, and the fruit of his lessons is to be seen in the great pictures that have been produced in England during the last ten years. Yet we should be inclined to retract what we have said in praise of the work, were it possible to conceive the world generally abandoning its common sense and adopting the faith, which, after all, it is Ruskin's main object to preach in it. This creed contains two clauses. "I believe in Turner—I abjure all England else," is perhaps the shortest mode of conveying it. No painter was ever equal to Turner: but alas! he was an Englishman of the nineteenth century, not a Venetian of the fourteenth. And great as he was, he could but paint, thwarted and dwarfed by the degraded tone of thought, feeling and taste, prevalent in English society. Hence his shortcomings as an artist—hence his penurious habits—hence his lonely and miserable life. The failure and unhappiness of so great a man does but point the moral with treble force, that, if we do not at once change our whole mode and manner of life, if we do not dismiss men-servants from an employ so degrading to the *male* sex, if we do not forthwith pull our old houses down and erect gothic edifices in their room,\* if we do

\* This was the original proposition. It appears to have struck our author afterwards that it was rather too expensive to be practical. For (if we remember right) it is argued in the Edinburgh Lectures.—"If we cannot do this, we can do something—we can build gothic porches to our doorways." Ruskin could never defend an architectural incongruity like this on *Æsthetic* grounds. But by a most gross misapplication of a Scriptural text, he reminds his hearers that they will be thus affording shelter to the poor. Even self complacency has its limits: and we have never yet met a man who would feel the glow of charity upon him, on the ground, that, when stepping in to his dinner, he had left a beggar provided with a roof in his porch.

not spend our money on their outsides, instead of selfishly making ourselves comfortable in their interior; above all, if we do not utterly and from our hearts abjure the blasphemous science of political economy, and in its stead adopt and act upon such views as were lately promulgated in certain papers, which saw strange light in the *Cornhill Magazine*, we may no longer hope that any good thing will come forth from England. Turner himself saw, and felt this. 'The age had bound him too 'in its benumbing round.' And he gave clear expression to the bitterness of his feelings, in what to common eyes is a very beautiful landscape—The garden of the Hesperides—but which really is 'a grand yet melancholy allegory—The Assumption of the Dragon, in lieu of the Virgin—deciphered by Ruskin, and the key to which' he now bestows on the nation. Perhaps the riddle did not present much difficulty to the man, of whose fancy it is the pure invention.

We have no liking for quotations, yet, lest we should be accused of exaggerating or distorting our author's views, we are compelled to take a few from the volume of the work published during the last year. All acquainted with other works of his, will at once be aware that these might be multiplied *ad infinitum*.

'So far as in it lay, this century has caused every one of its 'great men, whose hearts were kindest and whose spirits most 'perceptive of the work of God, to die without hope—Scott, Keats, 'Byron, Shelley, Turner. Great England of the Ironheart now, 'not of the Lionheart; for these souls of her children, an account 'may perhaps be one day required of her.'

'All his failure and error, deep and strange, came of his faithlessness—faithlessness or despair—the despair which has been 'shown to be characteristic of this present century, most sorrowfully manifested in its greatest men, but existing in an infinitely more fatal form in the lower and general mind.' Part IX. Chapter 12, p. 4.

Or again. 'I had no conception of the absolute darkness 'which has covered the national mind in this respect' (the relation of God to man,) 'until I came into collision with persons \* 'engaged in the study of economical or political questions.' Vol. V. page 348.

'The greatest man of our England in the first half of the '19th century, in the strength and hope of his youth, perceives 'this to be the thing he has to tell us of utmost moment, connected with the Spiritual World. \* \* \* Here in England is 'our great spiritual fact for ever interpreted to us, the Assumption of the Dragon. No St. George any more to be heard 'of! This child, born on St. George's day, can only make mani-



'*fest the Dragon, not slay him. The fairy English queen once thought to command the waves, but it is the Sea-dragon that commands her valleys. Of old, the Angel of the sea ministered to them, but now the Serpent of the sea.*' Part IX. Chapter 10, H. 25.

So far, we have only quoted passages of prophetic denunciation; the following, though not a whit more absurd, may be more certain of provoking a smile. He is speaking of the clouds, but cannot resist the chance of an allusion to his theory.

'But when the storm is more violent they are tossed into fragments, and magnificent revolving wheels of vapour are formed, broken, and tossed into the air, even as the grass is tossed in the hay field from the toothed wheels of the mowing machine, (perhaps, *in common with all other inventions of the kind*, likely to bring more evil upon men than ever the Medusa-cloud did, and turn them more effectually into stone.)' Vol. V. page 147.

We are not among those who consider that Ruskin has set Turner on a pinnacle one inch too high above other landscape painters: we sympathize with his indignation in finding, in the catalogue of the Royal Academy for 1859, *Calcott* and *Claude* described as Turner's equals. We have already given a very inadequate expression to our admiration of the book in its parts. But what it is our present object to draw attention to, is the strangeness of the purpose to which our author desires those parts to be subservient. The above is a correct statement of the whole *drift* of the work, and it militates so strongly against common sense, that it is almost a waste of words to encounter it. Ruskin labours, and as no other man could labour: but he seems to leave to others the privilege of reaping the fruit of his labours. The conclusion which most people would draw from a perusal of the book, is that great works *have* been painted and produced during this much abused century. We have already hinted, that the appeal to any picture painted by Turner, is not in the slightest degree justified by fact. Ruskin's interpretation both of that fable of the Hesperides, and of some others, is as far fetched as any in Bacon's *Wisdom of the Ancients*; with this difference, that Bacon's are professedly fanciful. He never ascribed to primitive ages the pregnant subtleties of his own brain: whereas Ruskin can write concerning the fables of the *Medusa*, *Pegasus*, *Danaë* and the *Danaïds*. 'Few of us have thought, in watching its career across our mossy hills, or listening to the murmur of the springs, that the chief masters of the human imagination owed, and confessed that they owed; the force of their noblest thoughts, not to the flowers of the valley nor the majesty of the hill, but to the flying cloud.' (Vol. V. part VII

Chapter 4.) We would add that any appeal to Turner's life in the same cause is a wrong, both to the men and to the country which he adorned. He lived through and past obloquy into wealth; and that wealth was a substantial proof that there *was* appreciation of his powers. He found fit audience though few. Ruskin has been rather the popularizer and analyzer than the discoverer of his genius. And he died fulfilling the darling object of his life, presenting his country with a noble heirloom in a gallery of his own works, and bequeathing a sum larger than the Clive Fund to the foundation of a like institution for English Artists. Whether he was personally happy or not, is a question with which we have nothing to do. Even Ruskin will hardly find English Society guilty of determining those points in a man's temper, which go to the making up of private happiness. All we would insist upon is, that the contemplation of his course leads ordinary people to a conclusion, again precisely opposed to that drawn from it by Ruskin. For assuredly in his case, this vile soul-benumbing nineteenth century *did* afford its opportunities for a great painter to lead a noble life; nor was anything found in it to prevent those opportunities being pushed and used to the utmost.

But there are other sinners in the same direction and on the same scale, and amongst them we must include even Gladstone. That it has been a labour of love to him to compose his three volumes on Homer, and that he has spared no pains to render them as exhaustive as possible, is evident to anybody who may read the work. The first contains a treatise on the ethnology of the races to whom, and of whose ancestors Homer sang. This we would rather treat of in connexion with the third, which contains, in the first place, an admirably drawn contrast between Greece and Troy as exhibited in the Iliad, and, in the second place, (what we must consider as the most valuable portion of the work,) a criticism on Homer as a poet, and on the use made of him by succeeding generations of poets. The second volume is entitled, the Religion of the Homeric age, and in it is included by far the subtlest analysis of Greek Divinities, as exhibited by Homer, that has yet appeared. For Gladstone shows, on the one hand, more discriminative power than Colonel Mure, and, on the other, more imagination—we mean more power of truly appreciating the poet's view,—than Grote. But here our sympathy must end. The analysis is admirable: but what is the aim of the analyzer? He has analyzed Homeric Mythology, believing that he thereby proves, that in it are to be found clear traces of two great revealed traditions;—the tradition of a Trinity, and the tradition of a Redeemer.

Now we may follow even the stream of direct revelation, and yet find no trace of any such definite doctrine as the former, until we arrive at the early Christian Church. We confess, if we may be allowed to adopt a similar misapplication of modern terms, that we had always looked upon the Jewish people, from the patriarchs downwards, as sincere *Unitarians*, and had imagined that their retention of that faith through so many centuries of idolatrous paganism, had been at once the distinctive mark and the divine privilege of that nation only upon earth. Gladstone is somewhat vague as to the source from which the tradition is derived. But he appears to have a strictly literal belief in the early chapters of Genesis; and if there is any meaning at all in what he implies, the belief in the Trinity must have been so strong before the dispersion of the world at Babel, it must have owned such vitality, as to colour and model a false and corrupt mythology centuries after. We hope we are not taking Sydney Smith's name in vain, yet we cannot help thinking that he would have exulted and revelled over such a proposition. Conceive Enoch and his contemporaries being able to repeat anything similar to the doctrinal portion of the Athanasian Creed! or Noah having doubts in his youth on the divinity of the Third Person! It runs counter to all our ideas to imagine the giants orthodox members of the Church. Events are said to recur in cycles: and it is possible that the Arian controversy was but the repetition of that original of all religious feuds—the split between the children of Cain and the children of Seth. We trust that irreverence will not be imputed to us on such a subject. What we desire, is to bring in as palpable a form as possible before our readers, the gross anachronism into which Gladstone has been betrayed, at once by his ingenuity and his enthusiasm in support of a religious theory. Yet it would not be one whit less absurd to charge Job, the first Arab known to us, with a leaning towards Mahomedanism, than to argue that a formula, which is a deduction, and, we devoutly believe, a true deduction from the Gospel, was held as an article of faith in the Antediluvian era. And surely it is more natural to suppose, that the supremacy of the trio, Jupiter, Neptune, and Pluto, was but the exaltation of the powers that ruled over the three unknown, and, to early ages, awful regions, the Heavens, the Sea, and the Future World, above the Deities of the common Earth, than to suppose with Gladstone that it was the relic of a distant doctrine; even granting (which we do not) that the doctrine of the Trinity had ever been fully disclosed, and never lost, among the ordained preservers of revelation.

Indeed, the second tradition of which Gladstone seeks and finds the traces, *was* kept alive among the Jews by frequent and divine iteration. Yet none the less is it the merest exercise of fancy, to explore the realms of Heathen mythology for proofs of its vitality among other nations. All that Gladstone really discovers is, that the early Greeks were not deficient in the religious instinct, which led men in all parts of the world to believe that their gods can save them in time of trouble. This is hardly entitled to the name of a discovery. But what he attempts to prove is, that the functions of an universal mediator and redeemer are to be found distributed amongst three Homeric Deities, Apollo, Minerva and Diana, and that though the conception of these functions had been corrupted, yet, such as it remained, it may be clearly traced up to the primitive revelation of that Divine Plan by which man was to be saved. But we all know that even the Jews did not understand the true purport of the prophecies addressed to them. The height of their expectation was a heavenly deliverance of their own tribes. Here, then, we are brought to the same stop which met us in our consideration of the first proposition. For in point of fact, that Divine Plan, so far from having sunk into the heart of the world before Babel, remained a sealed book even to the Jews, until it was given to St. Paul to open it, and to expound the riddle of past prophecy in full.

One inconsistency may be worth pointing out. Gladstone conclusively proves that the three Deities in whom he supposes that the conception of a Redeemer, however degraded and corrupted in its transmission, is embodied, occupy an anomalous position in the mythology. They have special privileges, an independence of action, and a purity of sentiment not attributed to other Gods. The distinction is a remarkable one, and it is drawn out with great refinement of thought. It is stated also as tending to establish the truth of his opinion, regarding the idea of which they are the representatives. But assuredly no such distinctive qualities can be claimed for Jupiter, or even for Neptune or Pluto. If representatives of the Tradition of the Trinity can find their natural place in a Heathen mythology, the importation of extraneous elements is not of great force as an argument, to prove that there is a similar representation of another tradition derived from the same source.

We fear that we are occupying too much space with a subject of little general interest; and we therefore pass over many other considerations suggested to us by this volume. Far more unqualified praise is due to the chapters, which treat of the morality of

that primitive age, Yet even in these a certain *obliquity of purpose* is again perceptible. For instance many pages are devoted to proving that the damsels of the period did not personally assist at the ablutions of chance visitors to their fathers or husbands. The question is supposed to hinge on a point of Greek grammar—the exact meaning of the three voices. It has never been denied that they contributed some service, nor is even Gladstone disinclined to admit that, for example, they filled the tub. He would rather quote such custom as evidence of the genuine hospitality then prevalent. But he is naturally indignant that an imputation should be thrown on the moral purity of his favourite century by mere grammarians. We think that he beats the air with perfect success and carries his point against all comers. But the disquisition was, we venture to hold, supererogatory. Most people consider that we have changed for the better since the time of Nausicaa, yet none but a German, frantic for grammar, would hold that so marvellous a revolution had taken place in the sentiments of fathers and husbands, as would be implied in the supposition, so successfully combated.

We stated above that it would be more convenient to review the first volume in connection with the third. In fact, we believe that a thorough refutation of the views propounded in the former is by implication contained in the latter. Gladstone refers the origin of the Greeks to the fusion of two tribes, the Hellenes who, he supposes, came from Persia, and the Pelasgians whom he brings from Egypt. Now, the East was without doubt the cradle of all Asian or Indo-germanic nations. But it is not in this undeniable sense that Gladstone would stamp an Eastern origin upon the Greeks. One main result of his argument, is to assign their immigration into the Archipelago and Europe to a date far more recent, than could possibly be assigned to the dim and distant movements of the primitive fathers of many nations. We will not burden our pages with a disquisition on a subject interesting to the philologer only. But Gladstone has himself furnished us with a conclusive reply. Never has the poetry of Homer been more thoroughly appreciated, never has his power of delineating character been set in so strong and clear a light, never has the ordinary life, social and political, of that early age been so subtly deduced or so fully expounded, as by our author in his third Volume. And therefore it is that we wonder all the more, that the eloquent critic, who feels so keenly the peculiar excellencies of the Greeks, should also be the philologer who would refer their progenitors to a directly oriental source. For not only are those excellences essentially

of an European character, but they are also, and perhaps by consequence, the exact antithesis of the forms taken by all Eastern systems of civilization. Enough has already been written on the subject of their religion; but it may be interesting to set in brief contrast the different views taken by the two races on three other points, hardly less telling as tests,—Politics, Art, and the Treatment of women.

On the first we cannot do better than quote Gladstone himself. The passages selected are also characteristic specimens of his style.

‘But that which is beyond every thing distinctive, not of Greece only but of Homeric Greece, is that along with an outline of sovereignty and public institutions highly patriarchal, we find the full, constant, and effective use of two great instruments of Government, since and still so extensively in abeyance among mankind, viz, publicity and persuasion.’

‘Amid undeveloped ideas, rude methods, imperfect organization, and liability to the frequent intrusion of the strong hand, there lies in them the essence of a popular principle of Government, which cannot plead on its behalf any other precedent so ancient and so venerable.’ Vol. III. p. 7.

Again. ‘The speeches which Homer has put into the mouths of his leading orators should be tolerably fair representatives of the best performances of the time. Nor is it possible, that in any age there should be in a few the capacity of making such speeches, without a capacity in many for receiving, feeling and comprehending them. Poets of modern times have composed great works in ages that stopped their ears against them. *Paradise Lost* does not represent the time of Charles II, nor the *Excursion*, the first decades of the present century. The case of the orator is entirely different. His work from its very inception is inextricably mixed up with practice. It is an influence principally received from his audience in vapour, which he pours back upon them in a flood. The sympathy and concurrence of his time is, with his own mind, joint parent of his work. He cannot follow nor frame ideals. His choice is to be what his age will have him, what it requires in order to be moved by him, or else not to be at all. And as when we find the speeches in Homer, we know that there must have been men who could speak them, so from the existence of units who could speak them, we know that there must have been crowds who could feel them.’ Vol. III. p. 107.

We should apologize for the length of this quotation, but apart from our present purpose, it is of considerable interest as containing our greatest living orator’s view of his own art. One more and we have done.

'The king was not the fountain-head of the common life, but only its exponent. The source lay in the community. So deeply imbedded is this sentiment in the mind of the poet, that he could not conceive an assemblage having any kind of common function, without their having, so to speak, a common soul in respect to it. Of this common soul the organ is the "Some body," by no means one of the least remarkable, though he has been one of the least regarded personages of the poem. The "Some body of Homer is," I apprehend, what in England we now call Public Opinion.' Vol. III. p. 141.

In these pages the line which our argument would take can only be indicated; but detail is hardly necessary in so striking a contrast. Were it true, that the emigration of the Greeks from Asia had taken place within any appreciable period, it would be impossible that a picture of their political aims and practice should be so precisely the antithesis to all the desires and tendencies of their oriental kindred. Trace back the history of the East to ages more remote than that of Homer; and you will ever find, in lieu of publicity, the same irresponsible secrecy, in lieu of persuasion, the same imperial disregard of the common herd, which mark Eastern despotisms to this day. Contrast the liberty of remonstrance, repartee, and even, as in the case of Thersites, of coarse invective, allowed to dissentients from Agamemnon—contrast the spirit involved in the very existence of oratory at all—with the timid apologies in which the most venturesome of oriental courtiers occasionally plucked up courage enough to shroud advice. Or imagine a Pharaoh controlled by public opinion! In the West the governors ever considered the will of the governed as the main thing to be studied, if not to be followed: in the East the tendency was ever to invert the relation. Even granting that there was no original difference in race, yet the operation of physical agencies upon man, though sure, is slow. And centuries must have lapsed, before two such full-blown variations on a common ancestry, as the Persian and Egyptian types on the one hand, and the Greek type on the other, could have been brought about by differences in the climate, the soil, and the conformation of their respective countries.

With regard to the second point, it would be easy to expatiate upon the contrast between the poems of Homer himself, and all the early literature of the East. In brief, the object of the former was to set before his hearers lively types of independent and individual character, or rather his object was to give pleasure. But our argument is all the stronger, if it was on account of its being the surest method of giving pleasure to his

and mee, and not of his own fancy only, that the poet founded the interest of his story on the marked characteristics of a few individuals. The object of the early Eastern sage was ever to glorify the system into which all individuality should be absorbed; to set forth in striking opposition the insignificance of the human unit, as compared with the grandeur of the whole of which it was its privilege to form a part. And in all we know of their lighter literature, from the Sakoontalá down to the Arabian Nights' Entertainment, no man is ever painted as carving out a path or career for himself. Riches and beauty are his sole desires: and these are granted only by the favour of fortune or the sport of princes. But a less hackneyed illustration may be found in the contrast between the shield of Achilles, and the Art of Egypt. The shield was forged by the God Vulcan for the greatest of heroes, and may fairly be taken as the ideal of the Greek Sculptor in the Homeric age. It was divided into eight compartments, each containing a separate scene in bas-relief. One may be quoted *in extenso*.

On it an orchard next he placed,  
Laden with luscious crop of grapes,  
On either side a dark blue ditch;  
Of tin; a single narrow path  
And tender maids & striplings slim  
Did in well-woven baskets bear  
And in the midst of them a boy  
Delightsome, and with tiny voice  
The others to the tune beat time

all beautiful and golden,  
dark were the clusters on it.  
around a fence he carried  
led thro the field to reach it.  
with gentle heart of childhood,  
the fruit as honey pleasant.  
on shrilly lute was harping  
replied in dainty ditty.  
& hummed & skirled & bounded.\*

Another may be looked upon as almost the model of one of those pictures, hung by our great modern Poet upon the walls of the Palace of Art.

One was the reapers at their sultry toil.

In front they bound the sheaves. Behind

Were realms of upland, prodigal in oil,

And hoary to the wind.

In the other compartments were represented a siege, a court of justice, the ploughing of a field, the attack of a lion on a herd, a dance in a copse. It will be at once evident that even at that early period the aim of the Greek artist was to 'hold the mirror' up to Nature and human life; to reproduce common things, trusting solely to truth, and the mode of composition for pleasing effect.

\* Iliad XVII. 561-572. We introduce our readers to the most recent attempt to translate the untranslatable, that by Mr. Newman. The sole merit of the peculiar unrhymed metre which he has chosen is, that it admits of a more literal and complete rendering than is attainable under more difficult conditions. Its faults are obvious. It is as incapable of elevation or dignity as the Trochaic lilt of Hiawatha.



Now as in literature, so too in art, the aim of the East was entirely opposed to this nature painting tendency.—The eastern artist loved to create forms transcendent above man—to translate such ideas as those of unreachèd repose, of imperturbable calm, of eternal duration, into shapes, colossal and magnificent indeed, but of a set and rigid conventionality. Occasionally, as in Assyria, they even sought the aid of allegory.

Man's head for wisdom and all cunning plans  
Of intellectual might; the lion's limbs  
Speak massive strength; the wings ubiquity;  
The whole, a giant both to will and do.\*

Their desire was, in short, not to please, but to overawe the imagination, and to this day what has survived of their work retains its ancient power of doing so. Is it possible that the nation, which in its infancy found delight in such pictures as those engraved on the shield, was, within any *appreciable* degree of relationship, (for we hold that we are all children of Adam,) connected with the nation which designed the Sphinx?

Turn now to the third point—their social life—best shown in their treatment of women, and the differences between the two will be yet more glaring. Ulysses is supposed to be dead—would be held as deceased even by English law. Yet Penelope is no chattel belonging to her husband's family; neither is she handed over to the eldest surviving brother; nor is her influence limited to such as she might exert within a seraglio. She is regent in open day; and though it is certainly expected that a rich young widow, who holds so important a position in the world, will not abide in widowhood, yet she has free range of choice among the numerous suitors of her own degree. The position of a woman supposed to be a widow was manifestly not an unpleasant one. Or let us take the instance of a woman unmarried and perhaps eighteen years old. Nausicaa not only goes with her maidens into the country unattended, but when there, with a dignity and composure which prove that she was not overstepping the recognized limits of maiden liberty, tenders her father's hospitality to a stranger, whose only introduction is a somewhat rude, though unintentional interruption of her amusements. Even the authoresses of the *Timely Retreat* might find something to envy in this freedom. She then ventures upon banter, and demands 'salvage' of the man whom she pretends she has saved from drowning. The pleasing picture is marred by a single blot, and we have not to look far to find this too reproduced in modern Society. She fears that if she enters the city with Ulysses, censorious tongues will put it about that she is

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\* Prize Poem, Nineveh. Rugby, 1857.

going to be married to him. 'They will say who is this tall and handsome stranger with Nausicaa? Surely she is going to become his bride. Truly she has picked up some gallant from afar who has strayed from his ship: or some god has come down to wed her. Better it were if she found a husband from abroad, since verily she looks down upon her Phœacian suitors, though they are many and noble.—Thus shall I come to disgrace, and, indeed, I myself should be indignant with any one who would so act.'

It will scarcely be believed that this is only a literal translation of the lines,\* in which Homer conveys the sentiments passing through Nausicaa's mind upon the subject. The sequel is that her father rebukes her for a breach of hospitality in not having brought her friend home in her own company. This simple story speaks volumes for the liberty permitted to the unmarried maidens of that period. Of widows we have already spoken. Nor were wives worse off. The farewell of Hector to Andromache, perfect as poetry, is from this point of view valuable also as history. Gladstone truly writes, the 'general tone of the relations of husband and wife in the Homeric poems is thoroughly natural: it is full of dignity and warmth; a sort of noble deference, reciprocally adjusted according to the position of the giver and the receiver, prevails on either side. I will venture to add, it is full also of delicacy.' And again 'It is on the confidence exchanged between them, and the loving liberty of advice and exhortation from the one to the other.' The Greeks moreover were all monogamists, nor was concubinage a recognised institution among them. At any rate it is certain that it was never allowed within the precincts of the family. 'When Laertes purchased Euryclea, we are told that he never attempted to make her his concubine, anticipating the resentment of his wife.' (Vol. II, 498) War was doubtless in this respect woman's greatest enemy: she then became the prey of the strongest.—Briseis the widow of a prince, is thus compelled to share the bed of Achilles: nor is this matter made much better by Gladstone, who defines her position as that of 'bride elect.' But we must separate between the danger and suffering which uniformly dogs the weak in times of violence, most of all too, after the sack of a city, and what belongs to the time of Homer, in particular. It is also well worthy of remark that the deity who, after Jupiter, stands first in Homer's estimation, is a goddess, Minerva. Lastly, the respect with which Helen was treated, and the delicate avoidance of all unpleasant topics in her presence, has frequently been noticed, though it has never been traced with a more loving and tender pencil than Gladstone's. Indeed he

\* *Odyssey*, VI. 275-285.

takes a view of her character not unlike that taken by some of the enthusiasts of Waterloo Place with respect to their fallen sisters in London.\* She is drawn as the prototype of our modern Traviatas. Plucked as brands from the burning, they are treated as though the fire through which they have passed has been beneficial. Their fall has developed interesting traits, which are wanting in the dull common place character of self-supporting virtue. Surely Gladstone has fallen into a somewhat similar error when he winds up a very beautiful analysis of Helen's character, as conceived by Homer, with the following sentence: 'In the whole circle of the classical literature, there is nothing that approaches so nearly to what Christian theology would term a sense of sin, as the humble demeanor and the self-denouncing, self-stabbing language of the Argive Helen.' Vol. III. p. 612. We see then that women in the earliest age of Greece, in every possible position,—whether that of maid, wife, widow, or wife eloped,—enjoyed an amount of consideration, respect and freedom, the parallel to which is only to be found among Teutonic and Christian nations. An appeal to all history, and to our own present experience, is sufficient to point the contrast between such a relation of the sexes as we have just described, and the degradation under which women have ever been depressed even among those oriental nations, furthest advanced as regards other tests of civilization.

We hope that we have both explained our meaning clearly, and made out our case. Gladstone refers the origin of the Greeks directly to the East. It has been shown from their earliest record, that, even in their infancy, their aim and practice, with regard to three most characteristic points, were wide as the poles from those then and since obtaining in the East. Further, Gladstone finds elements of revealed tradition, also derived from the East, in Greek mythology. We have given the train of argument which leads us to disagree with him. Yet we confess our great obligations to the work, and have, in fact, drawn our principal arguments against the conclusions urged in it from the armoury supplied by it. Indeed if our arrow were not fledged with feathers from the eagle's wing it would be idle to aim at the eagle.—With respect to two of our great living critics, are we not then justified in asserting that the only portion of their books for which we are not thankful, is the purpose for which they were written?

If we turn to living historians we find the same tendency to paradox. 'Froude's palimpsest' is known to all. But it has not

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\* The error of these moon-light Missions, have been constantly exposed in the Saturday Review.

perhaps been so generally noticed that the wittiest, severest and most vigorous article that has appeared for years, was devoted to its confutation in the 'Edinburgh,' for July 1858. Froude has been justly called by no less an authority than Kingsley, 'the greatest living master of English prose.'<sup>\*</sup> He is also a master accomplished in the sophistical art of instilling impressions far stronger than are warranted by facts, even as related by himself, of conveying, by implication and choice of ambiguous language, more than he directly states. Few readers therefore will not be glad that so strong an antidote has been provided for them.

But neither history nor review guide us to any conclusive settlement of the point at issue between them, the character of Henry VIII. The review is simply negative, and Froude in this respect stands upon vantage ground. He has a right to urge against those who refuse to accept his estimate of that monarch, the inconsistency of their own conceptions. He may plead that though it may be difficult to reconcile his view with certain facts, yet that at any rate it is not self-contradictory. A theory is not only more philosophic, but more likely to be true, which only presupposes that a few facts have been misinterpreted or misstated, than one, by which two or more ideas of the same person, mutually destructive of each other, are held at one and the same time. And that the latter is a true description of the view commonly held concerning this king and his age cannot well be denied. In it are included, first, the bluff king Hal—the John Bull of that period—a conception perhaps derived from Holbein as much as from history: then the student of belles lettres and friend of Wolsey, the chivalrous rival of Francis I, the knight unequalled in the lists, the hero of the field of Cloth of Gold. Then there is the hard-working man of business. With these must be fused not only the Blue-beard of our infancy, but also the bloodthirsty tyrant, the murderer of Cromwell, of the Countess of Salisbury and of Surrey. Again, room must be found, on the one hand, for the high spirit and patriotic energy, which (in Hallam's words) broke the chain of superstition, and burst asunder the prison gates, and to which the Reformation and Protestant liberty of thought are due; and on the other hand, for a capricious and cruel intolerance with which the royal writer of an eloquent pamphlet in defence of the Papal supremacy, sent More and Fisher to the scaffold for refusing to sign a test, in which that supremacy was deduced directly from the devil. A less personal, but hardly less difficult, contrast is to be found in oppressive statutes, repudiation of loans,

\* In the article on Sir Walter Raleigh. *Miscellanies*, Vol. I.

and bloody vagrancy acts, on the one side, and in a content on the other side, so general, that no wide advantage was taken of the opportunities offered for a national insurrection by a great religious crisis, amongst a people who, if the common view be correct, were labouring under an intolerable tyranny—a tyranny, too, supported in entire absence of its necessary prop and engine, a large standing army. It is clear that the monarch and men, of whom we hold vaguely such irreconcilable ideas, are not really understood by us at all. Froude's solution is sweeping enough, consisting in an entire reversal of the popular conception of Henry. Looking on his whole career, posterity has been led to think that the good that resulted from his reign was wholly independent of his will—the evil was all his own. A man of hot passions, and sudden, violent resentments, he allowed neither Pope, nor wife, nor friend, nor servant to stand in the way of their gratification. It has been stated above that this view appears to us to be tantamount only to a confession of ignorance. Yet we would sooner so confess our ignorance, than adopt the theory which Froude would substitute for it. A more complete metamorphosis cannot well be imagined. Henry is transformed into a cool, wise, farseeing pilot of the reformation, through the storms and sunken rocks which encountered it at its outset. Nothing but the force of his character, ruthlessly cutting away, root and branch, all that might in any way impede, or precipitate its progress, could have tided England over the crisis. A man of natural feeling would have been unequal to the task. The immolation, upon the altar of public duty, of five wives, of two prime ministers, of much of the best blood of his realm, of Potestant friends who are dangerous only because they outrun the national movement, of catholic friends who are dangerous only because they lag behind it, would have been too heavy a demand upon any man not specially gifted. Accordingly the story of his life proves that Henry was providentially blessed with a physical temperament cold to an almost unexampled degree. Desire, love, and friendship were mere names to him, compared with this sense of royal responsibility. 'Drive,' indeed, 'by a tragical necessity'\* (of providing an heir to the crown) 'he looked on matrimony as an indifferent'† 'official act which his duty required at the moment.'‡ 'He regarded a queen as part of the state furniture existing only to be the mother of his children.'‡ His heart (in the vulgar phrase) was in the wrong place. But in this frigidity of feeling lay his strength. For he was thus enabled to bring England

\* Vol. III. p. 261.

† Vol. II. p. 508.

‡ Vol. IV. p. 132.

to the haven where she would be: to carry the commonwealth safely through to the goal on which his eyes and the eyes of the nation, were set, as little deterred by the numerous victims with whom his path was, 'inevitably' strewn, as the car of Juggernaut itself. The summary given by Froude of the character of his minister Cromwell is far more applicable to his conception of Cromwell's master. For it need hardly be observed that, if so trenchant a policy, as is therein described, could be carried on during eight most eventful years, without the King's dictation, the theory, which would look upon the king as the ruling spirit of the age, falls to pieces of itself.

'He had taken upon himself a task beyond the ordinary strength of man, and he supported his weakness by a determination which imitated the unbending fixity of a law of nature. He pursued an object, the excellence of which, as his mind saw it, transcended all other considerations, the freedom of England and the destruction of idolatry: and those who from any motive, noble or base, pious or impious, crossed his path, he crushed, and passed on over their bodies.' Vol III. p. 225.

A parallel passage to be more directly referred to Henry, is to be found in the reflection on Fisher's Execution. Vol II. p. 373.

'Poor human nature presses blindly forward with the burden which is laid upon it, tossing aside the obstacles in its path with a recklessness, which in calmer hours it would fear to think of.' And again Vol IV. pp. 116-17. 122.

'Justice was the ruling principle of Henry's conduct; but it was justice without mercy.' 'The traitor, though his crime was consecrated by the most devoted sense of duty, was dismissed, without a pang of compunction, to carry his appeal before another tribunal.' 'The nation, grown familiar with executions, ceased to be disturbed at spectacles, which formed, after all, but a small portion of their daily excitements and interests.'

It is not intended to offer more than a few remarks, suggested by the perusal of a history pervaded with this paradox. First, we are asked to exchange our old image of the hasty capricious and impetuous Tudor tyrant for an incarnation of a passionless inexorable Destiny. Such a hero may suit the taste of Carlyle and his last, though not least extravagant, disciple. But we venture to affirm, that ordinary readers will not bow down before an idol which presents so few real features of warm flesh and blood.—The representation we have given of the new portrait is in no way over-coloured. Apart from our few quotations, a yet more confident appeal might be made to the general impression left upon the mind by dwelling upon it. All that may tell in favour of his personal

character, is carefully brought before us. Yet signs of compunction or grief for the necessary victims are few indeed. It was 'a special act of clemency' when More was doomed to the block instead of the gibbet. More's acceptance of this 'tender mercy' is characteristic. 'God bless all my posterity from such pardons.\*' No response was made to Cromwell, when he sent 'a more passionate appeal than is often read in those days of haughty endurance.†' The most affecting letter ever penned by woman is that from Anne Boleyn to the king.‡ She was the only woman he ever loved.§ Yet he remarried the day after her execution. 'Fisher, bishop of Rochester, was past 80, the Countess of Salisbury not less advanced in years, when they were led to the scaffold. Our readers have the option of referring numerous acts such as these to a man so thoroughly engrossed in a noble purpose, that he sacrifices to its accomplishment, or to an austere sense of justice, his own feelings, which, by a fortunate providence, are naturally thin and chill; or to a man in whom old affection and natural sentiment are obliterated by immediate resentment. Looking at the question *a priori* and setting the evidence aside for a moment, most people will hold that, of the two, the latter is the interpretation more consistent with human nature.

But there is a radical error in the mode in which the events of the reign are handled by Froude. He does not observe the golden rule, which holds no less in reading the deeds of men of action than the opinions of men of letters. He does not interpret his hero by himself. He fails to illustrate the course taken by him on one occasion by his conduct in any similar conjuncture. There could not well be a graver omission in treating of a reign, in which divorces, executions, and changes of ministry repeat themselves within such narrow intervals. It is true that a chain is no stronger than its weakest part. One link being broken, the remainder is valueless. But accumulative evidence is not fairly described as a chain. It should rather be compared to a number of separate lines converging on a common centre. They must be looked at together, or the force of their tendency is missed. But Froude on the contrary behaves much like a skilful barrister\*.

\* Vol. II. p. 378.

† Vol. III. p. 521.

‡ Vol. II. p. 480. and Hume Vol. II. Note 9.—In the first edition Froude characterizes this letter as 'unbecoming'—In the second he appends a note, in which he states that the more he examines it, the more he doubts its authenticity. But he allows that he has no good reason for this doubt. Probably, the longer he looked at it, the more awkward he found it in connection with his theory.

§ According to Froude. Vol. IV. p. 132.

when there is a mass of circumstantial evidence lying against his client. He shows how each fact, taken singly, may carry a different construction from that put upon it by the opposite side. But he does his best to avoid and ignore the concurrent bearing of all the circumstances, taken together. It may be remarked that in this point of view there is some policy shown in the choice of the moment at which the history commences, and in its publication in separate volumes. It would have been difficult to defend the tactics, principles and benevolences of Wolsey's administration, or to reconcile them with the idea of a paternal government. And the case of Anne Boleyn was laid down before the reader, entirely isolated from its parallels. Once indeed, when the cloud is gathering over the fifth marriage, the historian 'involuntarily pauses.\*' But it is only for the enunciation of a sentiment. He calls attention to the 'symmetry'† which had marked Henry's domestic troubles. Catharine of Arragon, a foreign Catholic, and divorced, is balanced by Anne of Cleves, a foreign Protestant, also divorced. Anne Boleyn, an English Protestant and beheaded, is balanced by Catharine Howard, an English Catholic, also beheaded. The degrees of misery are, as it were, shaded off, on either side, from the central Jane Seymour, who died a Queen on her bed, through the neutral tints of divorce, to the deep shadows of violent death. We do not admire the figure; and plead guilty to having drawn out the metaphor in order to show our dislike to it. But we think that it might, at any rate, have led its author to observe that there was a corresponding 'symmetry' of revolutions and executions. The divorce of the Catholic Queen led to the fall of Wolsey, the Catholic minister, and the deaths of More, Fisher, and many others. The divorce of the Protestant Queen, led to the fall and execution of a yet greater than Wolsey, the Protestant minister, Cromwell, to the rise of Gardiner, and to the deaths of the protestant preachers, Barnes, Gerard, and Jerome. The relatives of Anne Boleyn seem to have saved themselves by a participation in her trial and sentence. But, in order to be sure of catching the right man, Henry executed no fewer than four. And Hume not unnaturally attributes the attainder of

- Norfolk, and the execution of the accomplished Surrey to the frailty of Catharine Howard. It may be that the periods at which it was requisite to 'spur on flagging reformers,' by a persecution of the Catholics, coincided with the periods at which Henry had a personal quarrel with the latter party. It may be that the periods at which it was requisite 'to hold back ardent reformers,' by the strong bits of stake and scaffold, coincided with

\* Vol. IV. p. 130.

† Vol. IV. p. 141.



the periods at which Henry had discarded his Protestant wives. But there are few, who, dwelling on the 'symmetry' of his career, will not think that the relation between Henry's private life on the one hand, and these religious and political persecutions on the other, more nearly resembled that of occasion and its use, if not of cause and effect, than that of mere coincidence. Froude indeed allows the existence of a single link between his public acts and domestic sorrows, and one only. It was the ardent desire of the nation that an heir to the throne should be born. To this Henry sacrificed his love for Catharine and his devotion to Rome. And it is hinted, though hardly expressed, that his disappointment at the miscarriage of Anne Boleyn in the case of a male child, caused the low beginnings of an estrangement in the breast of the patriotic monarch. Nor even after Edward's birth, was 'one fragile life sufficient for the satisfaction of the people. 'The universal demand for a Duke of York was the sole motive 'that constrained him into re-entering a state, in which every 'experiment was but a new misfortune.' On one of these latter occasions indeed he lost no time about it. 'Anne of Cleves 'being pensioned off, the King married without delay or circumstance, Catharine, the daughter of Lord Edmund Howard.' Indeed the whole history is marred by one great deficiency. Froude possesses imagination, sentiment, love of research, and eloquence in the highest degree. But he lacks, what great English authors rarely lack, humour. Whenever the reader smiles, it is at the author, never with him. An illustration will convey our meaning better than pages of metaphysics. He desires to prove that the divorce of Anne of Cleves, was looked upon as a right and proper act in Europe. In support of this view, he quotes the following accounts of the reception of the tidings by Francis I, and the Emperor Charles V. 'Sir Edward 'Karne made the communication to Francis, prefacing his story 'with the usual prelude of the succession, and the anxiety of the 'country that the king should have more children. Even at that 'point Francis started, expecting that something serious was to 'follow. Sir Edward went on to say that the examination of the 'king's marriage was submitted to the clergy. "What" he said, "the matrimony made with the queen that now is?" then he 'fetched a great sigh and spake no more till the conclusion, when 'he answered "he could nor would take any other opinion of his "highness, but as his loving brother or friend should do. For the "particular matter his highness' conscience was judge therein." 'The Emperor,' wrote the resident Pate, 'when I declared my 'commission gave me good air—saving that suddenly as I touched 'the pith of the matter, thereupon he steadfastly cast his eye

'upon me a pretty while, and then interrupting me demanded 'what the causes were of the doubts concerning the marriage 'with the daughter of Cleves. At the end, he contented himself 'with expressing his confidence that as the king was wise, he 'was sure he would do nothing which should not be to the 'discharge of his conscience and the tranquillity of his realm.' Vol. III. p. 513-14.

Surely the contrary inference is to be drawn from these minute narratives. It would appear that a trial of Henry by his peers would have resulted in a verdict not very dissimilar from that passed by posterity upon this point. Francis, exclaiming 'what the wife that now is' and Charles looking his informant steadily in the face, both alluding with scarcely covert irony to Henry's connubial conscience, are not bad representatives of the feelings roused at the present moment by Froude's elaborate defence of his hero's married life. A very slight modicum of humorous perception would also have saved him from such sentences as these.

'It was not that he was loose and careless in act or word. But 'there was a *business-like* habit of proceeding about him, which 'penetrated through all his words and actions, and may have made 'him as a husband, one of the most intolerable that ever vexed 'and fretted the soul of woman.' Vol. IV. p. 132.

'It would have been well for Henry VIII. if he could have 'lived in a world in which won en could have been dispensed with; 'so ill, in all his relations with them, he succeeded. With men he 'could speak the right word, he could do the right thing; with 'women, he seemed to be under a fatal necessity of mistake.' Vol. I. p. 459.

The best argument in the world could hardly stand against so fatally ridiculous a sentiment as the last.

It is with much diffidence that we hazard a criticism on so beautiful a style. Yet, perhaps, had the author been possessed of more humour, a larger proportion of simple English idiom would be found infused into what is now a perfect model of uniform stateliness, and of earnestness sustained throughout at a noble pitch.

Concerning Froude's general estimate of England under the Tudors, we would only remark, that though it must be conceded that the picture is painted *en couleur de rose*, yet he compels our attention to a fact which his critics often seem to forget. If the Government was unenlightened, the subjects were in a no less dark state. Men living in the days after Adam Smith are hardly able to conceive the days before that greatest of revolutionists. In the Tudor times, feudal and traditionary privileges

still survived; and the people could scarcely have been rendered miserable by the non-fulfilment of wants and hopes, which could hardly even have crossed their dreams. Many laws and customs, which now wear the aspect of intolerable limitations of common liberty, or of proofs of a partial class-legislation, may then have appeared to be only in strict consonance with the natural order of things.

But enough has been written to indicate the grounds on which rests our original assertion, that as in the great critical works of the day, so in this popular history, though there is much to interest, there is little to convince. The world delights in the book, declining only what it was written to enforce. But let us turn now from the neophyte in Hero-worship to the hierophant of the creed. "*Audi facinus majoris abolle.*"

It has become a mere commonplace to say, that no living thinker has stamped his own genius so indelibly upon the literature of this century as Carlyle. His power of imaginative and humorous sympathy, penetrates so deeply into motives and character, that, whether in history or in biography, he always seems (if we may adopt his own pregnant phrase)\* to be fashioning from the heart outwards, not from the skin inwards. And part of the truth contained in the commonplace is, that ever since the publication of his works, it has been the habit of all historians and critics (save those who were then past growing) at any rate to attempt to do the same. It is due to his influence that the brilliant antithetical mode of portraiture is no longer admired, as a sufficient rendering of men or of generations of men. Such biographies, as those which would analyze Bacon's career upon the guiding principle that he was "the wisest, brightest, meanest of mankind,"—such descriptions as those which would characterize the Puritan as 'made up of two different men'—such pictures as would represent the Court of Friedrich Wilhelm as 'Hell, and himself the most execrable of fiends, a cross between Moloch and Puck'—such criticisms as those which would ascribe the merits of a biography to the weaknesses and follies of its author—such interpretations as those which would stigmatize an epoch as 'marked by an abandonment of the attributes of humanity'—or a religion, however false, as 'mere quackery, priestcraft and 'dupery,' are now rated at their real value. They may be accepted as rhetorical figures, but they do not account for any thing at all. They are mere pointed summaries of superficial contrasts. An epigram may be, so to speak, a key to a *panorama*. It is but a slight contribution towards a true *picture*. The style

\* Employed in contrasting Shakspeare with Scott. *Miscellanies* Vol. IV p. 152.

may be said to have perished with its greatest master, Macaulay. And perhaps the change which has passed over the tone of our best history, criticism and biography, could not be illustrated better than by a comparison between that author's sparkling article upon Boswell and Johnson, and Carlyle's essay upon the same men. And the change is solely owing, not to any direct attack, but to the silent example of Carlyle, combined with the growing admiration which his labours in this direction have, of late years, generally commanded. For,

As when a painter poring on a face  
Divinely, through all hindrance, finds the man  
Behind it, and so paints him that his face,  
The shape and colour of a mind and life,  
Lives for his children, ever at its best  
And fullest—

Even so will noble men and deeds 'speak in the silence,' and haunt the memory of any reader who has taken the trouble to master Carlyle's conception of them.

But there is another aspect of Carlyle's influence upon the world both of writers and readers, which it is difficult to convey in any except vague language, but which is not the less real on that account. What has been termed 'the mystery of the Universe,' impresses his mind with a wonder, awe and reverence, to which it is difficult to find a parallel even among our greatest poets. In simpler, though far less, comprehensive language, 'the mystery of the Universe' is the relation of man to circumstance. To many, Carlyle has succeeded in imparting some portion of his own deep feeling upon this subject. Still more strongly does he impress an unshaken belief in the reality, force, and dignity of human character and human life: a faith, in other words, on man's triumph over circumstance, a denial of his slavery to fate. Upon this subject, Buckle and Carlyle take their stand at opposite extremes. Buckle regards man as the mere creature of external influences, as clay plastic to the hands of time and nature. Carlyle holds up the spirit of man as casting the world in what mould it wills. The former represents man, as at best one of many instruments blindly contributing towards results; concordant indeed with the general laws of social order and progress, but of which he is the while himself unconscious. The latter loves to show how great men have determined the course of a nation's history. Carlyle writes in the *Volumes* before us, and in all places: \* 'Every original man is worthy of

\* For instance in the *Lectures*, page 1, and *passim*. 'For, as I take it, universal history, the history of what man has accomplished in this world, is at bottom the history of the great men who have worked there.'

'notice—nay, in the long run, who and what else is?' Himself deficient in the faculty of generalization, (and in this deficiency lies his main weakness in history,) he not only finds no interest in the development of large principles and wide tendencies, in the record of abstract society, or in the onward march of civilization, but, in passages too numerous to quote, even reviles such imagined discoveries as mere 'delusions, froth and windbags.' Whereas to Buckle it is a matter of congratulation that no individual aberration, no single career, however energetic, is ultimately of more real effect in disturbing the fixed laws of human progress, than a shooting star is of effect in disturbing the ordained revolution of the planet. It would be out of place here to draw out the contrast into finer detail. Nor is it for us to attempt to reconcile, or to take up any position betwixt the two. Yet the memories of many readers of the *History of Civilization*, may have reverted with no slight gratitude, from the cold logical chain and practical Fatalism, in which Buckle would bind down our views of the Universe, to the deeper poetic instinct and the glowing thought and utterance, with which the *Lectures on Heroes and Hero-worship* were animated.

And the old power is every where present in the history of Frederick the Great. Nevertheless we cannot but regret that it was ever written. In the first place we lament so large an outlay of labour and power upon the objects, to which the two volumes already published are mainly devoted. It is said that the popularity of the work in Germany is unexampled. But most English readers must be affected by the chapters which describe the various members of the line of Brandenburg, with a sense of weariness similar to that which may have come over them in a historical portrait gallery at Versailles. Occasionally they were arrested by some touch in some portrait, the evidence of a master's hand. But, altogether, in the whole range of the self inflicted misery involved in regular sight seeing, hardly any penance has been found more tedious and exhausting. In the same way, while heartily acknowledging the skill with which some of the likenesses have been struck off, we do not care enough about the house of the Hohenzöllerns to find interest in a long gallery\* of its members. Some of the sketches too are marred by an extreme latitudinarianism of sentiment. One of the best† is that of the first Friedrich Wilhelm, the great *Kürfürst*. It is a most spirited likeness and strikes the imagination with no common strength. He is to ordinary apprehension guilty of a base desertion of his allies at a critical conjuncture.

\* It occupies more than 300 pages of the first volume.

† Book III. Chap. 18.

But a man of such energy is only to be charged with 'advancing 'in circuits—spirally—face now to West now to East, but with 'his own reasonable aim sun-clear to him all the while.\* Truly, in these latter dispensations, Force is gradually supplanting Charity in her office of covering sins. We may sympathise fully with the tenets of a 'muscular christianity;' but it is rather more difficult to find comfort in a gospel of muscle only.

Graver exception must be taken to the delineation of the main figure in these volumes, Friedrich Wilhelm, the father of Frederick the Great. It has been hinted above, that the doctrine of Hero worship may be looked upon as a sound outpost against the inroads of fatalism. And therefore it is most deplorable, that its strongest advocates should throw discredit upon the truth contained in it, by a suicidal choice of their heroes. When Friedrich Wilhelm follows Henry VIII, 'Ecce iterum Crispinus' is the natural cry of all, save the most esoteric disciples of the school.

It is indeed to be at once conceded that Carlyle has converted the lay figure, to which Macaulay affixed the label quoted above, into a breathing human being, of intense but inarticulate affections; but also one of rigid views and most narrow sympathies—one to whom every whim was law, and whose whims were either born of a natural caprice, enhanced by long habit of absolute power, or insidiously instilled by enemies, thinly masked as boon companions. Why should we set such a man upon a pedestal at all? It is true, and Carlyle makes the most of the fact, that he was a faithful husband in days when such royal fidelity was rare, in the days of the first Georges, Czar Peter, and Augustus 'the physically strong.' But never did a man more thoroughly

Compound for sins he was inclined to,  
By damning those he had no mind to.

It is true that he was thrifty. And thrift may be, as one of our old friends Sauerteig or Smellungus is made to maintain,† 'at the bottom of all Empires.' But is it thrift or a low and mean avarice when royalty starves its family,‡ and when it entertains its guests at a cost of 900 £. but directs that it be given out that it has been done at a cost of 5,000 £.§ And is much gained by the whitewash, in the literal sense, thrown over this transaction. 'Alas! yes, a kind of lie or fib—white fib or even

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\* Vol. I. p. 349.

† Vol. I. 422.

‡ Vol. II. 309.

§ Vol. I. 459.

‘gray—the pinch of thrift compelling.’\* This may be a humorous appreciation of the king’s motives, but in what sense is it a justification?

Again it may be true that he had the interests of his country at heart. But it must be remarked, that neither the avaricious accumulation of treasure, nor the tyranny† shown in the erection of Berlin and the Stettin fortifications nor the importation of tall soldiers, impress us with the idea of any nobility of sentiment in this direction. His intentions were, without doubt, according to his lights, good; but his lights were of the dimmest description, not such as emanate from the stuff that heroes are made of. Kidnapping tall privates may be described as ‘the polishing of a stanza’—‡ the creation of a city upon a marsh, by means of money wrung from unwilling citizens, as the ‘annihilation of wreck and rubbish’—§ avarice as thrift; but no obliquity of phrase can invest such courses of action, even for a moment, with the dignity of true patriotism.

Lastly we are told with variety and iteration, which are almost wearisome, that he was ‘of intellect, slow but true and deep, ‘with terrible earthquakes and poetic fires lying under it.’ ‘Amiable Orson, true to the heart, though terrible when too much put upon!’ To all this we can only reply, that, as regards his heart, the volumes before us teem with evidence of the orsonism or brutality. But the traces of amiability are faint and rare. Yet ‘he had fountains of tears withal hidden in ‘the rocky heart of him, not suspected by every one.’|| And such come to the surface when he hears of the decease of George; when he meets his son at Ciistrin, for the first time after he had sentenced him to death; and, specially, on his own truly pathetic, though in some degree whimsical, deathbed. He had thoroughly alienated the affections of his children, but it would have been strange if they had not forgiven him then. Of his intellect we have already conveyed our opinion. It may be added, that for many years of his life, partly, from a constitutional tendency to hypochondria, partly, it must be suspected, from his habits of constant fuddling, he was a slave and prey to violent fancies. During this period, he was but as a pipe on which men like Seckendorf and Grumkow could play what stop they pleased; or in Carlyle’s own language, he was the main figure in an ‘en-

\* Vol. I. 459.

† Vol. II. 356-58.

‡ Vol. I. 461.

§ Vol. II. 358.

|| Vol. II. 14.

'chanted dance, of a well-intentioned Royal Bear with poetic temperament, piped to by two black artists.\* We do not deny that the spectacle is a pitiable one, or that it is presented before us with true tragic power. We complain that a man, in truth so weak, should be held up as admirable for vigour of purpose. There is no more fatal confusion than that, by which the spurious power gained in going *with* the torrent, is identified with the genuine strength displayed in stemming it.†

Above all, we are at issue with Carlyle as regards the effect, which an 'apprenticeship' under such a father, exercised upon the character of the son. He looks upon it as a model of Spartan training, producing Spartan virtues, and as the key to Frederick's future greatness. We should conclude from the evidence he lays before us, that the Crown Prince was naturally warm-hearted and open both in friendship and antipathy; but that the cruel and bigoted discipline to which he was subjected, drove him, first, into rebellion and unconcealed licentiousness, and finally, when he had been taught by his narrow escape from death the futility of resistance, into a profound hypocrisy, and a chilling disregard to the feelings of others. He became hard and callous. At the instance of his sister Wilhelmina, he was released from exile and confinement at Custringen, on the occasion of her wedding. Wilhelmina was warmly attached to him. She is the witty, though sometimes flippant chronicler of their lives, and had been a sharer in all their early torments. Yet he responds to her eager welcome with a coldness which, under all the circumstances, can only be characterized as heartless indifference.‡ He became a hypocrite. This is hardly denied: but hypocrisy in a hero is rebaptized as 'Loyalty to fact;§ or, in another place, as 'the art of wearing among his fellow-creatures a polite cloak of darkness.' ¶ Gradually he became master of it as few men are—a man 'impregnable to the intrusion of human curiosity, able to look cheerily into the eyes of men and talk in a social way, face to face, and yet continue intrinsically invisible to them.' Nor can we detect any 'scorn of mendacity' || in the manner in which he exercised the faculty so developed. On the contrary, in the relations of the two, after these lessons had been learnt, the

\* Vol. II. 316.

† Compare Shakspeare's

'Give me that man

'Who is *not* passion's slave: and I will wear him

'In my heart's heart—yea, in my heart of hearts'

‡ Vol. II. 360-5.

§ Vol. II. 338.

|| Vol. II. 333.

MARCH, 1861.



'histrionic talents' of the son contrasted with the volcanic temperament of the father almost avail to transfer our sympathies from the victim to the tyrant. Apart from these natural fruits, the 'apprenticeship' does not appear to have yielded anything beyond an accurate knowledge of the arts of farming and drilling.

Yet 'depend upon it brother Toby, said Mr. Shandy, learned 'men do not write dialogues upon long noses for nothing.' And though some of the views advanced in the works we have been considering, may appear, when laid before us naked and in legitimate light, to be of hardly more value than some new theory upon nasal protuberance, yet it would be a proof of rash ingratitude to *our* learned men to conclude thence that the works themselves are equally valueless. We have failed indeed in conveying our opinion, if it is not plain from all that has been written, that admiration is the preponderating feeling with which we regard our authors. Nay, we would go further, and affirm, that no small portion of the power they exercise over us, resides in the bent and bias which we have endeavoured to point out. Men may qualify, modify, deduct and balance, till all spirit evaporates from their writings. Strong one sided statement is ever the most eloquent. To the majority of the world the speech of the barrister is more stirring than the summary of the judge. Nor do thoughtful readers run any risk from yielding for the time to such immediate impressions. Apart from natural combativeness, *Audi alteram partem* is a motto ever present to most educated men. And the position of a juryman, dictated to from above by an incarnation of impartial justice and superior knowledge, is not only less dignified and agreeable, but also less likely to do benefit to the intellect, than that of a man seeking to decide for himself between the conflicting arguments of able advocates. Among our many disadvantages, we should not forget that in India, exiles as we are, we have one point in our favour, which may go far to countervail them. It not unfrequently happens that materials out of which we may form opinion, are laid before us *at once and together*, which were laid before the reading public at home *successively*. The tide of fashion is strong and proverbially fickle. Reactions are often as unjust as the original opinions from which they are the rebound. Yet few take the trouble to look back merely for the sake of modifying their opinion. And, therefore, it may well be true, that when two spirited representations taken from opposite points of view follow the one after the other, they only avail to sway the public mind to and fro; when simultaneously exhibited, they assist directly towards a calm estimate.

- ART. IV.—1. *Christianity contrasted with Hindu Philosophy. An Essay, in Five Books, Sanskrit and English: with practical suggestions tendered to the Missionary amongst the Hindus.* By James R. Ballantyne, L.L.D., Professor of Moral Philosophy, and Principal of the Government College at Benares. London: James Madden, 1859.
2. *The Religious Aspects of Hindu Philosophy, stated and discussed. A Prize Essay.* By Rev. Joseph Mullens, Missionary of the London Missionary Society, Author of 'Missions in South India,' and 'Results of Missionary labours in India.' London: Smith, Elder & Co., 1860.

THESE are two important volumes, upon a very important, but a very dry, subject. The benevolent Gentleman who suggested the idea worked out in these Essays, was a public benefactor to the people of India, and, what is of far greater importance, he was a lover of the Truth, in its highest, sublimest, and most divine form.

It is a disputed point, whether the discovery of a great principle—a fundamental Truth, or that of a new *method* for discovering the Truth, is the most important in itself and in its results. Newton did the first; Bacon the last. Both the Principia and the Novum Organum are immortal, and are already acknowledged to be the property, not of a few nations, but of the race of man. But the investigations which they contain extend no further than the relation of man to the different objects of the external world, of which he forms a part. The laws and limits of the relation between spirit and matter, appear insignificant and unimportant, when contrasted with the relations of spirit with spirit, and especially of finite spirits with the Infinite Spirit. The greatest Teacher who ever dressed human thoughts in human words, has asserted that knowledge of the Truth is the means of man's emancipation:—'Ye shall know the Truth, and the Truth shall make you free.' This is not a knowledge acquired by the cumulative processes of the Organon; by the demonstrations of the Principia; by the dialectics and guesses of the disciple of Pure Reason; or by the rules of verbal processes laid down by Mill and Whateley. It is a knowledge which is felt as well as comprehended; which has as much to do with conscience as with reason; which embraces within its influence both the Intellect and the Emotions; and which bears as much upon the springs of actions, as upon the regulation of cognitions and of judgments.

The Essays mentioned above, treat of Ontology and Gnosiology, or the sciences of being and of knowing. Sciences which are, at once, boundless and limitless. They embrace—if the word embrace can be employed in such a connection—every object, law, and relation, whether comprehensible or incomprehensible. They treat alike of conditioned and unconditioned existences, and of all their relations. They refer to the questions, What does exist? How it came to existence? Under what conditions, relations, or laws; and for what object, it does exist?

This limitless Ontology is handled in these two volumes. The task which the writers have undertaken is to follow the Hindu sages through all their cumulative collections of thoughts and speculations, to trace out and analyze the wisdom and the folly, which the most restless and active souls, inhabiting the vast plains between the Himalaya and the sea, were able to display in explanation and defence of Hindu principles, during twenty or thirty centuries. The writers profess to analyze all those thoughts; to present them faithfully in an English dress; to contrast them with the Ontological system of the Bible; to point out and refute their errors; to shew cause why the Hindus should abandon them, and embrace the more useful, rational, and truthful tenets of the Bible; and to do all this, in the style and manner best adapted to Hindu comprehension and mode of thinking.

This is a task for giants. To write a book on the *Cosmos* is but child's play, to this. The laws and objects of nature will yield up their mysteries and secrets with much greater facility than Hindu speculations. The former have regular laws though often secret and intricate, the latter have none. The gauge of the Inductive Science is utterly inapplicable to the chaos of the 'three systems of philosophy' handled in these Essays.

One of the systems has no God; another has no world; a third has a God and an atomic world co-existing, and running on eternally parallel to one another. One of them has an imaginary world of Illusions, created by Ignorance; another a substantial world, constructed from nine eternal atoms, by the chief of souls; a third has a real world starting up from an eternal unintelligent principle—or rather 'state of equipoise of three qualities,'—for the sake of liberating a certain indefinite, eternal, innumerable 'purusha' from bonds created either by himself or by accident. One of them makes man to consist of a point of meeting between an eternal 'purusha' and a concrete form of nine eternal atoms; another makes out that he was constructed by an unintelligent principle in successive portions—first intellect, then self-consciousness, then five subtle elements, followed by

five gross ones, and so forth; the third persuades man to believe, that if he thinks himself to be a man, he is ignorant; and if he is not ignorant, he knows that he is not a man, but Brahma.

The progressive developments of the human mind, as recorded in history, have not taken place in a continuous and unbroken chain, but in cycles. The stars presented by history, like those seen in the firmament, stand out in groups. Between Pythagoras and Zeno, there was a luminous group; a less bright one between Cicero and Proclus; a misty galaxy between Anselm and Occam; and a modern constellation, of great, but dubious, brilliancy, between Locke and Hegel. Upon opening these Essays, we felt a curiosity to examine the historical positions, and the epochs and order of the Hindu cycles of thinkers and of thought. We were disappointed. What was the historical position of Kapila and Pátanjali; of Gantama and Kanada of Bádaráyan and Jaimini? No materials have been furnished to enable one to form even a guess.

This omission prompts us to a confession, which will certainly seem ungenerous to critics who are prepared 'to profess doggedly the Hindu belief in their (i. e. the Vedas') existence from 'all eternity,' until some certain chronological data can be found of their age. This is our confession. Let the critics disprove it, and we are ready to change sides. We doubt the antiquity and Hindu origin of many of the thoughts examined in these Essays. We think it a proveable point, that village Pandits compose fragments called *Tantras*, up to this day, for which they borrow thoughts from all sources within their reach, dress them up in Puranic Sanserit, mix them with their own mythology, and transfer their nameless, dateless manuscripts to a class of copyists more ignorant and superstitious than themselves, and pass them among their ignorant disciples as Puranas. Even the more enlightened Brahma-Samaj men borrow thoughts—occasionally Biblical thoughts—and dress them up in the Vernaculars, without acknowledgement. Whole series of notions and thoughts which are un-Hindu, might be selected from the writings of Sankara Acharya, Bhaskara, Annam Bhatta, Vishwa Nāth Bhatta, Sankara Misra, Sadānanda, Ram Krishna Tirtha, and almost all the Sanserit Commentators. Many of these thoughts, we hold, must have been borrowed from visitors, travellers, and residents from other nations, without acknowledgement, and made to pass in Sanserit as Hindu productions. Vlaq's Astronomical Tables, in a Chinese dress, became a *bonâ fide* Chinese production, though each figure, right or wrong, continued the same. The origin of the Tirvalore Tables is not clear. We shall be very ready to lay aside this doubt regarding a Hindu habit of borrowing thoughts, if the contrary can be proved.

Philosophy is frequently converted into a war of words for want of clear definitions. There is a difficulty about the terminology of the Hindu systems. That difficulty has not been satisfactorily removed in these Essays.

Here is a list of Sanscrit terms which we think ought to have been clearly and fully defined at the outset; and the exact significations attached to them, *in situ*, in the Hindu systems, clearly and prominently brought out, and laid before English readers in a manner easily intelligible, from the English stand-point. *Atma, Purusha, Brahma, Manas, Buddhi, Ahankara, Triguna, Prakriti, Vastu, Gyāna, Agyāna, Dravya, Chitta, Guna*, and several others. Of Dr. Ballantyne's philological ability to do justice to this subject, no one entertains a doubt. But we fear the learned author has adopted a wrong point of view throughout his investigation—a contentious point of view—which forbids his readers putting much confidence in his guidance. The defects of missionaries; the doubtful conclusions of Sir W. Hamilton; the disputes between Realists and Nominalists; and Dr. Ballantyne's individual opinions regarding Bishop Berkeley's Idealism; all this ought to have nothing whatever to do with the terminology, philosophy, and errors of Hindu sages, when examined from a Biblical point of view. The fragments which have been put together to constitute this Essay must be recast and re-constituted, if the book is to live. We write these remarks with sincere regret, as we hold Dr. Ballantyne in high esteem and respect, as a Sanscrit scholar and philologist of the first order, and wish much we could give him a similar position as a trust-worthy defender of Divine Revelation, a sound Biblical Theologian, and a Christian philosopher. We would willingly give him a *niche* along with the truth-seeking Dr. M'Cosh and Dr. Mansel, Sir W. Hamilton and Immanuel Kant, if his productions permitted us. It should be admitted, however, that Dr. Ballantyne has done more towards fixing Sanscrit terminology, than any Sanscrit scholar with whose writings we are acquainted. His translations from the Sanscrit are the most dryly literal that we have yet seen. But, all his Sanscrit compositions evince scholarship of the highest order. Even in this Essay, the reader has not much to complain of, in respect of faithful terminology; because all the cardinal Sanscrit terms are appended, either parenthetically, or in foot notes, along with their renderings. The same cannot be said with reference to exact definitions of those terms, in their genuine Hindu acceptations. A few examples might serve to explain this point.

An English reader wishes to know the exact Hindu sense of the terms, 'Manas,' 'Prakriti,' 'Triguna,' rendered into

European terminology. He will naturally turn to consult the writings of such a scholar as Dr. Ballantyne. He is anxious to know whether these terms represent any realities and acknowledged facts in the economy of nature; or are names attached to imaginary fictions. He wishes to know the exact positions and functions which they hold in the universe—if they exist. He turns to the learned author's Essay, and finds that:—

'Manas' is 'a substance,' an 'entity,' an 'organ,' a 'faculty,' an 'instrument,' an 'atomic inlet,' an 'atom.' Its existence is known by 'the not arising of cognitions in the soul simultaneously.' This term Dr. Ballantyne usually renders by the word *mind*. 'Mind' is also occasionally the rendering of 'Chitta,' of 'Mahat' &c.

'Prakriti' is 'Nature,' 'energy,' 'primal energy,' the 'radical energy,' an 'aggregate of the three qualities,' and an 'equipoise of the three qualities.'

'Triguna' signifies 'the three qualities,' the 'three fetters.' The technical sense of 'guna' shall be considered hereafter.

These are the definitions and renderings of, the three terms, as far as we can remember, in Dr. Ballantyne's Essay. Could an intelligent reader, unacquainted with Hindu philosophy, and only acquainted with the philosophy of Being as held in Europe, find out in his own constitution and in that of the Universe, the objects or functions, to which the terms refer, from these definitions? We will leave it to the reader to answer; and certainly will not insult him by telling him, that he should test the correctness of his philosophy, by its conformity to Hindu analysis.

Since Mr. Mullens professedly compiled his materials from different translations, a confused and uncertain terminology might be deemed excusable in his compilation; seeing that he only professes to follow his translated authorities. But since his Essay is offered as a guide to English readers, there are certain points which appear to us of sufficient importance to demand a few observations. Retaining the three terms already given, Mr. Mullens makes—

'Manas' to signify, 'the organ in which takes place the perception of pleasure, pain, and the like. It is in the form of 'an atom, and eternal,' (p. 166.) It is the 'sphere of living and 'present consciousness,' (pp. 35. 171) 'The mind, equivalent in 'modern philosophy, to the sphere of consciousness, or internal 'perception, is the instrument which apprehends pain,' pleasure, and the internal sensations,' (pp. 85. 204.) It is 'internal consciousness,' (p. 336.) It is 'that portion of the mind, 'which is the sphere of all our conscious acts,' (p. 170.) 'The

'mind is only the instrument by which the soul perceives its internal work, and is aware of its own activity,' (380.) 'I have shewn you that I think the theory which separates "mind" from soul, incorrect; and that the soul exhibits a unity of constitution so complete, that if any part or faculty is taken away, it ceases to be soul any longer. What is soul, for example without perception, without reason, without memory, without consciousness?' (p. 387.)

'Prakriti' is 'that which precedes a thing made;' (p. 200.) it is 'substance,' (p. 187.) 'a compound of three other substances in equipoise;' (p. 398.) a 'primal agency'—an 'extremely refined essence,—an indefinable something;' (p. 54.) it is 'the plastic origin of all things;' (p. 52.) 'the universal material cause;' (p. 52.) 'not ordinary matter, eternal matter,' (p. 52.) It is 'matter,' and 'Mul-Prakriti' is 'root-matter,' (pp. 49, 200.) and yet 'Hindu philosophy possesses no term exactly equivalent to the English word "matter," and comprising the class of objects which that word expresses,' (p. 88.)

The 'Triguna' are 'three qualities,' (p. 142.) 'These qualities belong to the very essence of nature. 'Prakriti' the root-matter of the Universe, denotes the substance from which they came forth. (p. 113) 'They are goodness, passion, and darkness, the affections of intellect.' 'Nature is the state of equipoise of goodness, passion, and darkness.' 'These are not qualities, (in the ordinary sense) but are the actual material engaged in the service of soul.' 'There is a triad of these qualities, and neither less nor more.' (p. 397) 'They are 'three material or natural substances.' (p. 398).

Mr. Mullens cannot be held responsible for the confusion, apparent or real, in these explanations. Much of that confusion is owing to the Hindu sages who wrote the books; and some to the translators. But there are a few points which should be noticed in Mr. Mullens' explanations.

Is 'Prakriti,' and are the 'Triguna' as stated and explained in the Hindu systems, objects or functions in the economy of creation? Or are they pure fictions, devised by the sages, as expedients either to cloak ignorance, or to serve a purpose in controversy? Mr. Mullens very properly, we think, refuses his sanction to the notion called 'Manas,' or mind, though we wish he had gone further, and exposed thoroughly the false process and wrong analysis connected with the fiction. We certainly cannot say that we understand his meaning when he asserts that 'Manas' is equivalent to the 'sphere of consciousness in modern philosophy;' and that it is the 'instrument which apprehends pleasure &c.' Has the 'Manas' of Hindu philosophy, any

'equivalent' in modern philosophy, or in creation as it is? Why Mr. Mullens should assert that it has, and again (p. 387) deny the existence of 'Manas,' and treat it as an imaginary fabrication, we cannot well make out. Nor do we fully understand what is meant by saying that a 'sphere,' or even an 'instrument,' *apprehends* anything.

If 'Manas,' 'Prakriti,' and the 'Triguna,' are accepted as real objects or functions in an analysis of the economy of Nature; why reject the 'Sukma Sarir,' the 'thumb-like soul,'\* the 'ethereal cavity of the heart,'† the '727,200,000 arteries,'‡ and the whole anatomic theory? Is the theory of the Hindu systems regarding spirit (Atma); God (Brahma); Intellect (Bud-dhi); self-consciousness (Ahangkára), and the like, consonant with the true notions of those objects and functions?

If Hindu notions of God, man, and the world, together with their attributes, laws and relations, be fundamentally correct, and only erroneous in minor details; then why write these formidable Essays? If Hindu sages are radically defective in their analysis of the world as it is, and of man as he is—if they are erroneous in their definitions of spirit and of matter; of God and of man; of nature in its source, its attributes, and its laws, why accept their 'Brahma' as our God; their 'Atma' as our soul or spirit; their 'Prakriti' as our Nature, and their 'Manas' as our mind? The Biblical—the rational—analysis and definitions of these objects, on European principles of investigation, differ essentially from the definition found in Hindu writings. Their 'Brahma,' has but few attributes or marks in common with Jehovah, the God of the Bible; or even with the Intelligent First Cause of cultivated natural reason. The existence of a First Cause, demonstrated from creation as it stands in its relation to the mind and reason of man, may be either regarded simply as the substratum of being—as an unintelligent, insensate *Thing*; or, as a source of order as well as of being—as the *summa intelligentia*. Now the 'Brahma' of the Hindus is neither, and yet he is said to be both. He is not the *Eus entium*, for as 'Brahma' not as 'Prakriti' he is declared to be inactive and does nothing. Nor is he the source of order, for though he is declared to be knowledge (jñána), yet it is declared that his knowledge is incommunicable and unmanifested by any action of his own. Activity is utterly denied to him. He is simply

\* See Katha Upanishad ii. § 4. 12. Svet. Up. iii 13 &c.

† Katha Up. ii. 12. 20. IV. 6. V. 3. &c.

‡ Prasna Up. iii. 6. &c.



a 'Juána Vastu,' an immoveable, inactive, quality-less, *knowledge-thing*—if such a compound may be excusable. He is, as described by the Hindus, a kind of being, who has nothing whatever to do with his own, or with any other, existence—a little more unintelligible than the *Das Seyn* of the Germans; because *Das Wesen*, *Das Werden*, *Das Absolute* and the like, are denied to 'Brahma'.

Again the *man* of the Hindu Shastra, is a very different being from the *man* actually found in creation. The Hindu analysis of man, as made up of the distinct substances called *soul*, *mind*, *intellect*, &c., and of two bodies, innumerable arteries, &c., agrees not with what any man is conscious of, or cognizes regarding himself.

What European philosopher can recognize his idea of Nature, in the Hindu descriptions of 'Prakriti?' Kant defines *Nature* to be 'the totality of phenomena connected, in respect of their existence, according to necessary rules, that is laws' (Critique B. ii. c. 2 § 3). But the 'Prakriti' of Hindu philosophy is a 'substance' a 'primal and radical energy,' an 'aggregate, and an equipoise of three 'qualities.' We have noticed that Dr. Ballantyne, by a refinement of his own, not of Hindu writers, as far as we are aware, has attempted to shew that the Hindu term 'guna' is the same as the sum-total of the phenomena of the world of sense. We shall have occasion to return to this refinement again, when we come to consider Vedantic tenets.

The general inference which we wish to draw from the foregoing observations, are these two:—

First; Hindu principles and method of investigation, as contained in the three systems under consideration, we hold to be radically unphilosophical, illogical, and untrustworthy. Their premises are dogmatic; their processes faulty; and their inferences very frequently inconclusive and erroneous. The Hindu volumes analyzed in these Essays, offer no rational and intelligible analysis either of God, of man, of the world or of the different relations between these objects. This broad assertion is made with reference to each of the three systems, taken as a whole; but not to every branch of enquiry in each.

Secondly, judging from these two Essays, the mental point of view adopted by their writers, appears to be very different. One seems to have fixed himself, as to the religious aspect of his view, upon the Bible as the Infallible Revelation, requiring no proof; and looking down, from this elevated position, upon the philosophical investigations of Christendom, as its buttresses and outworks, and upon Hindu philosophy as the citadel of the enemy. As to the metaphysical aspect of his view, it seems

to be destitute of any fixed theory or system. It is indefinite. The other appears to have placed himself in the centre of a circle of Hindu sages—of whom a select few were invited to sit by him as friends and equals. He almost apologizes to this circle for the obligation laid upon him, to introduce to their considerations, the tenets of a new religion, which differed in some material points from the principles of their profound and matured philosophy; and which were made manifest in Scriptures, which laid claims to a stronger evidence in favour of their Divine origin, than even the Four Vedas, and which are so exclusive in their claims, that they utterly exclude and reject the possibility of any other Divine Institute.

Both of these mental stand-points have their advantages, and their disadvantages. At present we can only examine very briefly the treatment of Vedantic tenets by the writers, from their respective points of view; reserving the consideration of the treatment of the other two systems for the present.

Following this order, we propose to furnish a summary view of Vedantic tenets as given in these essays; of the errors of those tenets as drawn out and refuted by the writers; and then offer a few remarks of our own, explanatory of our views with reference to the character and completeness of those refutations. For the sake of greater brevity and clearness, we shall adopt the plan of placing the two summaries, as well as the errors and their refutations, in parallel columns.

#### SUMMARIES OF VEDANTIC TENETS.

*Dr. Ballantyne.*

‘Nothing really exists besides One. And this One real being is absolutely simple. This One simple being is knowledge,’ (p. 31.)

‘According to the Vedanta there is no object; and hence it follows that the term subject is not strictly applicable, any more than is the term substance, to the One reality.’ (p. 31.)

\* ‘Soul, the One reality, is accordingly spoken of in the Vedanta, not as a substance, (dravya) \* \* \* but as the *Thing*, or, literally, “that which abides.”’ (Vastu) (*Ibid*)

The mental process leading to the great tenet of the Vedanta, is this;

1. Nothing comes from nothing;
2. Creation and limited intelligence exist.

*Mr. Mullens.*

‘In spite of appearances, there is in the Universe but One real existence (Vastu); the being who is existence, knowledge, and joy, the supreme Brahman.’ p. 113.

‘Brahman is the substance of the Universe \* \* \* \* nothing exists but he,’ (him ?) p. 128.

‘He (i. e. the student) gets to understand that all duality is an illusion; that \* \* \* \* all is Brahman; that he is himself Brahman; \* \* \* \* subject, object, and the relation between them disappear. \* \* \* \* Nothing is left but One.’ p. 115.

‘The Unreal has been based upon the Real, by an improper process of “imputation”; just as there is sometimes imputed to a rope, the unreal notion that it is a snake.’ p. 113.

3. Therefore—holding both—Brahma created from himself.

Hence the Universe is identical with Brahma.

But whence the notion of Creation ? and of the non-recognition that the soul is identical with Brahma ?

Answer. From Ignorance. Hence Ignorance became the cause of every thing besides Brahma. (p. 32)

What is this 'Ignorance' ? 'It is a something neither real nor unreal, in the shape of entity,—the opponent of knowledge—consisting of the three fetters.' (p. 34.)

'Ignorance is equivalent to the sum-total of qualities.'

What is the origin of the notion of the three qualities ?

Answer 'the phenomena of pure cognition; of lively emotion; and of inertness. To one or other of these three heads, every phenomenon may, with a little ingenuity, be referred.' (p. 35.)

'Ignorance' has two powers,

1. That by which it *envelopes* soul; giving rise to the conceit of personality or conscious individuality."

2. That by which it *projects* the phantasmagoria of the world, which the individual regards as external to himself.' (p. 35.)

'This (i. e. the improper imputation) is caused by ignorance.'

'By 'ignorance has the universe been produced.' p. 114.

'Ignorance is a kind of thing, different both from existence and non-existence, in the shape of an entity, consisting of the three "qualities," the opponent of knowledge.' p. 113.

'In modern language, it (i. e. ignorance) is understood to mean the phenomenal, as distinguished from the substance which underlies it; as we have seen all "nature" is recognized as the aggregate of the three qualities.' p. 114.

'This ignorance in separate souls has two powers, a covering power, and a producing power. By obstructing the mind of the observer, the covering power hides the infinite soul, and makes it appear limited. The producing power gives rise to notions of happiness, misery, possession, and dominion; \* \* \* and produces in the soul expanses of the universe, and projects them as a phantasm before the mind's eye.' p. 114.

This may suffice. Those who wish to pursue the subject further should have recourse to the Essays, and to the original works from which they quote and draw their materials. The notion, that 'Ignorance' is equivalent to the phenomenal world, we believe to have been originated by Europeans, not by Hindus. We have found it no where except in Dr. Ballantyne's writings. Whence Mr. Mullens has borrowed it, we are not aware.

The passage referred to above by Dr. Ballantyne from the Vedanta Sār, defining 'Ignorance' to be a 'something neither real nor unreal, in the shape of *bhāva*,' does not prove satisfactorily to our mind that 'Ignorance' signifies 'the sum-total of qualities.' On the contrary, it seems to us that the description of 'Ignorance' in the passage referred to, and throughout that little Treatise, shews that it is spoken of as an attribute in the relation between soul and the world. The author treats of the views which the soul takes of its own existence, and of that of the external world; and not of the reality or unreality of the existence

of either regarded in itself. What is there predicated of 'Ignorance,' we predicate of 'Idea.' If we take the word *bháva* to signify 'entity,' as Dr. Ballantyne does, adopting its sense in Kapila's and Gantama's systems, still 'Ignorance' is said to be *bhavarupa*, not *swarupa*, or in the shape of entity not identical with it. We regard *ideas* as the shape or image of the objects of sense; not the objects themselves. The word *bháva*, in its most common and popular acceptation, signifies the ideas arising in the mind regarding objects of sense, not the objects themselves. Why reject that sense here?

But if we take Dr. Ballantyne's explanation of 'Ignorance' in this Essay, it cannot mean the 'sum-total of qualities,' because the two powers which manifest it, 'envelope the soul,' and 'project the world.' If by *soul* is meant here, the Limitless One, to 'envelope' such a One, can convey no possible meaning; but if the word 'soul' refers to the individual soul, then 'Ignorance' cannot be the 'sum-total of the qualities' of the soul which it 'envelopes.' Again the term 'world' implies the 'sum-total of qualities,' whether it has a real substratum or not; and therefore to say that 'Ignorance' is the 'sum-total of qualities,' and that it 'projects a world,' which also involves the 'sum-total of qualities,' amounts to the same thing as to say that 'Ignorance projects' itself. The existence of the 'soul' and of the 'world,' is necessary to the manifestation of the 'two powers of Ignorance' in the theory. If the former vanish, the latter must vanish with it. If it be said that 'Ignorance' is, by a figure of speech, personified here, still that cannot remove the difficulty; for 'Ignorance' must be a personification of something, otherwise it is but an imaginary fabrication. It cannot be a personification of the individual soul; for it 'envelopes' it; nor yet of the external world, for it 'projects' it. Hence we conclude that it is intended to refer to the *relation* between these two. The question under investigation by Sadánanda in the Treatise is, whether the world and the soul are real existences or not. This fiction of 'Ignorance' with two powers, which depend for their manifestation upon the existence of the *soul* and the *world*, manifestly can furnish no solution to the question.

We certainly cannot concur in Dr. Ballantyne's praise of the Hindus as profound metaphysicians. Breadth of thought, profundity, careful and logical analysis of objects and of principles, they certainly have not produced in their sutras and commentaries. But acute quibbling and dogmatic assertions we have in abundance. A collection of phrases more crude and illogical than Vedánta Sár, we think can rarely be found. Its author undertakes to prove

that all objects are identical with the one thing (Vastu); and shews that 'Ignorance in its totality is one; in its variety, 'many.' This identity is asserted without a shadow of proof; and profusely illustrated by a reference to the relation between a forest and the trees which compose it, and the atmosphere which surrounds it; between water and its varieties; between objects and their reflection in liquids; between fire and heated iron &c., &c. Because genera include their species; and because the chemistry and the laws of nature produce changes, either apparent or real; it is inferred that the world is identical with God; or that God is the substance of the world.

But we must return to the Essays. Our general inference is, that in the Vedānta Sār, 'Ignorance' both in its totality and in its variety, applies to the *relation* between the soul and the world; not to their *existence*.

#### ERRORS OF THE VEDANTA AND THEIR REFUTATIONS.

*Dr. Ballantyne.*

1st. Error. 'Granting to the Vedantins that nothing of *itself* exists besides the one; it neither follows that a man is the one; nor that a man's endless course of existence depends upon himself alone.' p. 38.

##### *Refutation.*

(1.) 'The Vedantins, as philosophers—would seem to have been duped by the word *thing*, and its kindred term, *real*. They chose to restrict the name of *thing* to spirit, and then jumped to the conclusion that all else must be *nothing*, or nothing of any consequence.' p. 42.

(2.) 'Though the Vedantin be a Pantheist; yet he is a spirit of a far higher mode, (than the materialist,) erring though he be.' p. 49.

(3.) According to the teaching of the Vedānta, there is really no will of God; for if, by the word God is meant Brahma, then that consists of knowledge only, and is what is meant by the word *Veda* itself. And the *Veda* cannot be the *revealer* of the will of God, else we should find a duality; whereas, according to the creed of the Vedantin, there is no distinction between the Veda and the Lord. pp. 57-58.

(4.) 'If there is any Vedantin in the world; then to argue with him would be like arguing with a child or a madman.' pp. 58-59.

*Mr. Mullens.*

1st. Error. 'God is identical with matter, and with the human soul.' pp 180-282.

##### *Refutation.*

(1.) God should be glorious; the Vedānta makes him very contemptible.

(2.) 'The Vedānta confounds matter and soul.'

(3.) The defects and imperfections in creation, are those of Brahma, if creation is identical with Brahma.

(4.) If the universe is identical with Brahma, why does it not possess the excellences of Brahma?

(5.) If soul is identical with Brahma, whence the sense of duality in individual consciousness?

(6.) If the All is identical with Brahma, whence the real differences observable in contraries and opposites?

(7.) If Brahma is secondless, whence the different Gods, and castes of men?

Therefore the universe is not identical with God. pp. 182-197.

Again, this doctrine of identity cannot be established by holding the tenet of a *Māyā* or Illusion in human consciousness regarding the existence of objects; because:—

(1.) The theory of *Māyā* insults God, by making him the author of an illusive sport.

(5.) If the Vedāntin assert that a Trinity is impossible, he errs, because the truth of the Christian Scriptures has been established; and because, if the One Reality is manifested in the form of all human souls, then the Doctrine of the Trinity may be easily accepted. pp. 72-73.

(2.) If men are Brahma, they cannot be deceived.

(3.) If men are bound by Māyā they can never be undeceived.

(4.) The exercises of religion, and a long course of study &c., cannot prove the means of undeceiving them.

Therefore men are not deceived by Māyā regarding the identity of the universe with Brahma. pp. 298-304.

2nd Error. The transmigration of souls.

### Refutation.

There is no transmigration, because—

2nd Error, The transmigration of souls.

### Refutation.

This refutation is divided into, answers to Hindu objections; and direct arguments.

### Answers to objections.

(1.) The Hindu Spiritual Institutes are no Authority in proof thereof. pp. 105.

(2.) The origin of evil cannot be accounted for by the doctrine of Transmigration, for, as Paley observes, *regressus* diminishes not the difficulty, in any degree; therefore no point in the series could render the solution easier. pp. 87-90.

(3.) Diversity of conditions cannot be accounted for, by the doctrine of transmigration. As a chain does not become competent to support itself, through indefinite addition to its links, just as incompetent is transmigration to account for diversities in conditions.

(1.) The inequalities in the conditions of men are fewer than is often thought.

(2.) The inequalities that do exist, are frequently attributable to the conduct of the person himself: or to other men.

(3.) Inequalities in the conditions of men are sometimes of Divine appointment as tests of character.

(4.) These inequalities are appointed by God for the good of society.

(5.) The inequalities of physical and mental defects from birth, are often the results of hereditary diseases, and consequences of sin, and sovereign acts of the Deity against sin, and partial means of man's probation; and occasions for sympathy and benevolence.

(6.) If there be no transmigration, whence come the souls of fresh births? Answer. Why cannot God continue the exercise of His creative power, in creating new souls?

### Direct arguments.

(1.) Transmigration confounds the various classes of existing beings.

(2.) Human recollection contradicts the notion of transmigration.

(3.) Transmigration is a system of great injustice; because the soul is punished or rewarded for actions, of which the recollection is utterly lost.

(4.) The object of the doctrine, viz., the improvement of soul, is defeated, by obliging it to frequent a wicked world during the *Kali Yuga*. pp. 377-395.

3rd Error. The doctrine of fate.

Man cannot be held responsible for his belief and acts, without Freedom of will—and freedom, or independence on a previous cause is impossible—since it has been proved that an uncaused cause is inconceivable. pp. 82-3.

#### *Refutation.*

(1.) Freedom of Will in God or man is conceivable.

(2.) Our consciousness of accountability shews that freedom to be, practically, a fact.

(3.) A beginningless series of causes and effects forced upon us by the doctrine of necessity, is as inconceivable as uncaused origination. Thus, in theory, the difficulties of Liberty and Necessity balance; but, practically, the consciousness of moral accountability cannot be accounted for, excepting upon the supposition of freedom of will to act. Hence the scale turns in favour of freedom. pp. 83-86.

Our analysis has grown somewhat long; but it was thought desirable to furnish a broad and fair foundation for the few observations which we proceed to make on the Essays.

The line of argument adopted by Mr. Mullens for refuting Hindu errors, will, no doubt, recommend itself at once to most Christian readers, but judging from a Hindu point of view, we fear many of his arguments will appear inconclusive, and will fail to produce conviction. The reason for this result is sufficiently manifest.

He has assumed the correctness of the Christian point of view, which he has adopted as the test of the truth and error of dogmas. The Hindu calls in question the soundness of that point of view, and rejects the test. The engineer who runs a mine in an upper stratum, to counteract that of an enemy in a lower one, and in a different direction, must fail of success. Transcendental errors can but seldom be refuted with arguments purely empirical, drawn from sensuous knowledge. The Hindu sage argues about absolute Being; the nature and origin of phenomena; and their relations.

3rd Error. The doctrine of innate dispositions, and of Fate, which makes God the author alike of good and evil.

The dispositions communicated to men and other creatures are of various kinds, corporeal and intellectual, essential and incidental, leading upwards or urging downwards, and productive of all the pumberless varieties of character, lot, and history of created beings in this, and all other worlds; they are all derived from the different proportions of the three *gunas*, with which each individual is formed' p. 400.

#### *Refutation.*

(1.) Men are conscious of freedom in their actions; whence that consciousness, unless they possess freedom?

(2.) Human actions spring from human motives.

(3.) Men universally assign praise and blame, according to the motives of actions.

(4.) The attributes of wisdom, holiness, justice, benevolence assigned to God in the Hindu Shastras, are inconsistent with the notion that he is the author of sin. pp. 396-417.

Given an Agent cogitating, an object cogitated, and the result in the shape of an inference. There are several ways to test the correctness of that inference. Let the object contemplated be the absolute being: one might examine whether the object contemplated is, from the conditions and necessity of its very being, cognizable or uncognizable, absolutely considered. Another might examine the conditions of all possible relations between the thinker and the object contemplated. A third might enquire into the nature, extent, and other conditions of the powers of the agent. The Hindu adopted the first method, arrived at a point in which 'I do not know' must be the answer to all further enquiry. Then instead of descending to the other method, he converted his very 'Ignorance' into the means of solution, and undertook to explain the absolute from that point of view. By way of illustration; suppose a person were to assert that he had made a tour to Sirius and back again. A simple 'No' would not serve for a refutation, for he, and others might hold that a simple 'Yes' is its equivalent. One might assail such an assertion by enquiring into the chemical composition and force of attraction of that star; the kind of beings, and of life adapted to its atmosphere, elements, and other conditions, supposing such examination to be possible, and within the reach of man. Another might enquire into all the possible relations between an inhabitant of this insignificant planet, and that enormous and distant luminary. Another might apply the gauge of logic and experience to the conditioned powers of locomotion belonging to the asserter, as the agent in such a journey. These different points of view, are easily applicable to human enquiries connected with the unconditioned and the absolute. But unless he who asserts, and he who refutes have a clear comprehension of each other's point of view, it is manifest that no conclusion can be obtained, and no conviction produced. Mr. Mullens' refutation of the first error might serve to explain this point.

There is but one additional remark that we wish to offer regarding Mr. Mullens' treatment of the subject. The Dialogues appear to us to be ill-constructed. The 'English Judge,' has evidently made himself the commander-in-chief, fixes the positions, and orders the movements, on both sides. Guru Das, and the other prolocutors are mere puppets in his hands. They always bring on their objections, frame their sentences, and introduce their quotations, in accordance with his will. And the 'Judge' is imprudent enough to remind his prolocutors that they are at his service, by such phrases as:—'That is the point to which I wish your attention to be turned;' 'I am well aware, O Pandit;' 'you have well stated, O friend;' 'exactly, these are the



illustrations I mean :’ and the like. Guru Das and his colleagues must have been a very different set of men from Dr. Ballantyne’s Bapu Deva Sastri, and his Benares Colleagues ‘who are ‘no children.’ Moreover, Guru Das’ sentences are almost all cast in an English mould, a feat no *bond fide* Pandit can do.

Mr. Mullens’ Essay was written for English, not for Hindu readers. Almost every sentence in it proves this fact. As a comprehensive sketch or compendium of Hindu tenets, English readers in general owe him much gratitude for so laborious a performance. But the critical student must, we fear, employ other means, if he wishes to acquire a sound and deep knowledge of the principles of Hindu philosophy.

The method adopted by Dr. Ballantyne to dispose of the errors of Vedantism, demands a more lengthened investigation. The point of view which he has adopted in his investigation appears to be this :—

The material or phenomenal world has no *real existence*—there are no ‘material substances.’ ‘The “matter,” which (you say) ‘is alleged in the Bible to have been brought from non-existence ‘to existence, neither exists, nor could possibly.’ (p. 32) ‘It ‘may be said, it suffices to establish the authority of the Veda, ‘that it is in harmony with all demonstration. In the Bible, on the ‘other hand, we are told that the world was produced out of no- ‘thing.’ (Book II. Aph. V. p. 29.) The purport of this whole aphorism appears to be, to bring forward proofs that the Vedantic tenets regarding the Absolute Oneness of *real existence*, as against the teaching of Bible, is the only rational and demonstrable view of the subject of creation. The names of Sir W. Hamilton, Sir W. Jones, and Bishop Berkeley are adduced—and even rendered into Sanscrit—in proof of the correctness of the Vedantic view of the matter. The teaching of the Bible, that *to create* means to make a thing out of nothing, is held to be the reverse of the teaching of ‘unassisted intellect,’ which teaches that the *real* is but one, that sin, misery &c. are all illusions; that man himself is God, and so forth. (p. 35) Dr. Ballantyne, though professing his faith in Bible teaching, agrees with the Vedantin as to the teaching of reason. ‘I can articulate the word *creation*,’ ‘and I may appear to attach a distinct idea to the term when I ‘say that it means “making out of nothing,” which I do hold ‘it to mean, but is it possible for me to conceive, that what is so ‘made has in it a principle of existence which would sustain it ‘for an instant, if the creative force were withdrawn? I am *not* ‘able to conceive this.’ (p. 34)

Admitting that the particular relation between the unconditioned and the conditioned, which we call ‘to create’ is beyond

the limits of the conditioned comprehension of man; yet we hold that it is not more comprehensible to say that 'to create, is to transform the substance (Vastu) of the creation into the shapes of phenomenal objects;' than to say that 'to create is to make a thing out of nothing.'

Hence we infer that Dr. Ballantyne has taken up a very serious position in a treatise professedly on Christian theism, when he asserts that the Biblical theory of creation, is contrary to reason, and the Vedantic theory the only rational view of the matter. Speculations of the kind, might be allowed to pass unchallenged, as individual opinions, in metaphysical treatises; but it is a very different matter, for a writer to undertake the task of giving a faithful view of the teaching of the Bible, in a language which is the depository of the literature of a fifth of the human species. In this Essay Dr. Ballantyne speaks for Christians, and therefore Christians have a right to examine his teaching. There are hundreds of clergymen and divines in the pulpits and seminaries of Christendom, who are, at least, as learned as Dr. Ballantyne in the doctrines and teaching of the Bible; who deem it their duty to 'hold fast the form of sound words' which it teaches; whose attachment to its truths is stronger and of a higher nature than their attachment to their natural lives. Do those consider it contrary to the teaching of 'unassisted intellect' to believe that God by His Almighty Power and Will, gave existence to the Universe out of nothing? Do they find that the conception which they have of this article of their faith is 'similar to the conception of a round square?' Are they conscious that the 'speculative reason, fearlessly followed, brings them inevitably to the brink of that precipice of pantheism, over which, the Vedántin would have them cast themselves?' (p. 35.) Why refer to clergymen? There are thousands of enlightened and pious laymen, who are as familiar as Dr. Ballantyne with the speculations of Berkeley, Hamilton and the rest, and yet do not regard the teaching of the Book, which holds the highest place in their affections, and has become the law of their lives, as being contrary to the teaching of their 'unassisted intellect;' nor do they believe that their 'speculative reason'—for we suppose the privilege of possessing one will be conceded them—brings them inevitably to the brink of the precipice of Pantheism.

But supposing all believers in the Bible were to accept the conclusion, that it is contrary to reason to believe that the world was created out of nothing; that the fact of such a creation is 'unthinkable;' that such a conception is either too great or too small for the human soul; or that it is in itself contrary to the laws of thought, what then? Will the contrary view

remove the difficulty, and relieve the mind from its embarrassment? Is it more conceivable that a 'certain quiddity' which we call a stone was evolved out of a spiritual substance or that the stone is a certain form of that substance; than to conceive that a creative will of infinite power gave existence to a substance differing from itself? Admitting for argument's sake, that the notion, 'to create a thing out of nothing,' is unthinkable, we must hold that the alternative one of evolving what we experience and regard as matter or non-spirit, from spirit-substance, is equally unthinkable.

An atom or a universe is present to the mind, a person wishes to form a conception of its origin and nature. He may commence with the notion that the Real alone is One; that substance alone is Real, and that Spirit alone is substance. He has an atom under contemplation, and he discovers either that he must have two realities, the atom and his mind; or that one of these is but a modification of the other; or that one of these must have, by some process, originated the other; or, finally, he may regard both as dependent, and must fall back in search of an original substance. He might advance a step further, and conceive that a notion of extension is essential to the conception of the attributes and properties of the atom; that between the atom and his own thinking self, there must exist some sort of relation. But duality being an essential element of the notion of Relation, he has already two existences,—the atom and thinking self; nor can he, by any process of thought, reduce the two into an identical one. The notion of duality cannot be cancelled by any process of his thinking powers. Other difficulties soon crowd upon him. What is the relation between this thinking being, and the atom or the extension which I contemplate? though the perception of the atom is conditioned by a notion of extension, without which the atom cannot become an object of thought; yet how can I demonstrate that this is not a condition of my thinking powers, rather than of the atom and extension in themselves? How can I prove that the extension, of which I have conception, is absolutely infinite in its own nature, and not merely negatively infinite only in reference to the capacity of my mind to measure it? By what process of ratiocination can I shew that this extension is a substratum in itself; of which the atom which I perceive, is either a part or a manifestation? Or, if I suppose the atom or the universe a portion or a manifestation of an infinite substance; how can I comprehend and trace out the origin, the cause, the method, and the extent of the transformation?

Our sole object in referring to these metaphysical speculations here, is to shew that the assertion that 'speculative reason'

necessarily leads to Pantheism, is founded upon a partial view of the matter. The impressions of the objects of the external world, received by the percipient mind, must involve the notion either of the Reality or of the Unreality of those objects. If the notion or conception produced by those impressions, be a notion of the unreality of the objects perceived; whence the necessity of arraying all the powers of the 'speculative reason' to persuade people to believe conceptions produced by the impressions of their daily experiences. But if the sensuous impressions give rise to a conception of Reality and Substantiality, in the objects perceived, and the inference of ratiocination, and the conclusions of the 'speculative intellect,' prove the unreality of those objects; then, since these contradict one another regarding the same fact, at the same time, one of them must be wrong.

Is there a real and substantial substratum to all the objects of the phenomenal universe?

Mankind at large answer this question in the affirmative; because the mind conceives properties and qualities, only as the attributes of some underlying substratum or support. Mankind do not profess to have any knowledge of that support, but only of the aggregate of qualities, by means of sensuous experience. The mind, by a sort of natural process, belonging to the laws of thought, infers the existence of a support. The inference cannot be proved, says Bishop Berkeley; it is contrary to 'speculative reason,' says Dr. Ballantyne. A ploughman steps in, and demands:—'Prove that the properties made known by my sense-experience, have no underlying support.' The utmost that the Bishop and the Doctor can advance in reply is:—'We cannot prove a negative; but produce you your proofs that there is such a substratum; and we will show their futility; though we cannot prove the contrary.' Our ploughman might reply; 'my sense-experience of the aggregate of qualities, in the shape of perception, involves in itself an inference of a support; and as I never knew a man who did not believe that the figure and hardness of the stone against which he stumbled, were properties of a real substance, I think that notion is universal.'

The view of the ploughman here might be held, not besides, but notwithstanding, Bishop Berkeley's opinion that colours, tastes, extension, figure &c., exist only in the mind; and his doubts regarding the prevalence of the notion of real substances, made known by sense-experience. The ploughman's view is founded upon an analysis of the contents of a mental conception arising from sense-knowledge, and is held to be a necessary inference involved in the relation between primitive and derivative cognitions. Were it granted that we can neither prove • nor

disprove the reality of the external world; yet the existence of Ideas being provable; the enquiry into the cause and origin of those states or changes proceeds from the laws of thought. Does consciousness testify of the *changes* only? or also of the changes in the mental state, in their *relations* to their origin, that is, sense-experience.

Now if Dr. Ballantyne's logic, on another subject, is sound, we think that the ploughman has the best of the argument. 'The doctrines of Liberty and Necessity, (says Dr. Ballantyne) are two Incomprehensibles, and thus balance each other; but the fact that a consciousness of freedom is felt by all, turns the scale in favour of liberty.' So is the ploughman's argument; 'the existence of the substratum of qualities cannot be proved; nor can its non-existence be proved; thus the two theories balance. But the conscious notion of a support underlying the properties made known by sense-experience, turns the scale in favour of its existence.'

But however the metaphysical speculations, regarding the existence or non-existence of a substantial substratum to the phenomenal world, be decided; that is not our present object. We have to do with the Ontology of the Bible, and of the Hindus; and it appears to us that Dr. Ballantyne, by introducing this controversy into his Essay, has done a great disservice to the Hindus whom he wishes to enlighten, and a great injustice to the Bible, which he wishes to make known to them.

We have strong faith in Dr. Ballantyne's uprightness, and in the purity of his aim and intention. And for this very reason, we regret the more to be forced to observe, that to our apprehension Aphorisms V. and VI. in Book II. of the Essay, are calculated to mislead and to do injury to Hindu readers. The purport of those Aphorisms we take to be this:—Sir W. Hamilton, Sir W. Jones, and Bishop Berkeley, on the one hand, and the Bible on the other hand, contradict one another regarding the fact of creation; the former agree with the teaching of the Vedas, and of reason; the teaching of the latter is contrary to the voice of reason; as it should be, since it is a divine revelation. Whether these were the views which Dr. Ballantyne intended to inculcate,\* we, of course, cannot say; but we fear that every Hindu who may read the Essay, will so understand its teaching. Those three excellent men, would not, we think, much enjoy the position in which they are placed in these Aphorisms.

It is worthy of consideration also, whether Vedantic tenets, as held by the *Hindus*, will bear the favourable construction put upon them in this Essay. Full fourteen pages are taken up with the defence of the Vedantin. His theory of creation and of

existence is made out to be nearly as orthodox as that of good Bishop Berkeley, if not as that of Paul. This defence demands a brief analysis. (see pp. 38—52.)

## DEFENSIVE POSITIONS AND ERRORS OF THE VEDANTIN.

### Defensive Positions.

Position 1st. There are three kinds of existence:—the independent; the dependent or phenomenal; and the seeming or illusive. The Christian should not accept "an unknown quiddity, with an absolute existence," and deny to the Vedantin his "philosophical belief," regarding that existence. pp. 38. 40.

2nd The Vedantin has been charged with the wildest extravagance, by being made to assert that the Supreme is devoid of qualities, when he asserts that *Brahma* is *Nirguna*. This charge is unjust, because the term "guna" is a technical term, signifying 'phenomenal, material.' Hence *Nirguna Brahma*, means *Immaterial God*. Again, "organs of sense or motion are made up of what the Vedantin calls 'Guna,' as we Europeans in general say, they are made up of what we prefer to call matter." p. 44.

3rd To say that *Brahma* 'exists "without intellect, without intelligence, without even the consciousness of his own existence," is no extravagance of the Vedantin. For "by intellect he means an internal organ" of cognition; by "intelligence" he means the conceptions of that "organ;" and by "consciousness," the individualizing of ourself by the thought of "ego," thereby implying an existent "non-ego." The denial of *Brahma's* consciousness in this sense, does not imply unconsciousness in the sense in which we employ the term. pp. 47. 48.

4th The vedic text, "all this is *Brahma*," and the illustration taken from the spider spinning his web, do not prove the Vedantin a Pantheist. As no one would say that the web is the spider, so no one should infer that the world is *Brahma*. Again, "all this," does not mean the universe. The world is only a display of the phenomenal.

### Assailable Positions.

Error 1st; The Vedanta system is Pantheism. But pantheism qualified by Sir W. Jones' "inextricable difficulty attending the vulgar notion of material substances, which induced \* \* \* some of the most enlightened among the moderns to believe that the whole creation was rather an energy than a work." p. 32.

2nd "The Vedantins \* \* \* would seem to have been duped by the word *thing*, and its kindred term *real*. They chose to restrict the name of *thing* to spirit; and then jumped to the conclusion that all else must be nothing, or nothing of any consequence." "It is idle to disparage the immense importance of phenomena, by dubbing them 'insubstantial.'"

3rd "In the Vedanta, there is really no will of God; for *Brahma* consists of knowledge only; and is what is meant by the word *Veda*. Hence the *Veda* cannot be a revealer of *Brahma*, otherwise we should find a Duality, which is denied." p. 58

4th The veracity of the Vedas has not been proved; for:—(1) Their authority is said to be self-evident. (2) The speculative intellect is disposed to arrive at what they teach, without Divine aid. (3) If their great tenet, "The Real is but One," "there is no duality," be true, there is neither place for, nor need of, revelation.

5th. The epithet *Īśva-Charshane* may mean that the familiar conception of the clic#energizing deity,—iswara, the lord—is no other than the aggregate of all embodied souls; as a forest is no other than the trees that compose it." p. 171.

6th. The Vedantin holds not that Brahma has no attribute, but that "he is all attribute, sheer existence, sheer thought, sheer joy." p. 49.

5th. "Granting that nothing but the One exists *per se*; it is not just to infer that man is the One." (p. 38.) "If it be not agreed that there exists anything besides Brahma; then there is no foundation for the employment of arguments, either affirmative or negative. If there is any real Vedantin in the world, then to argue with him would be like arguing with a child or a madman," p. 58.

In this last 'error,' Dr. Ballantyne is literally cruel upon the Vedantin. However, 'Benares Pandits are no children,' and they need not be frightened at a slight excess in the language of their friend. We shall leave the task of reconciling the sentiments contained in the 'defence,' and the 'errors' to the intelligent readers of the Essay; and proceed, at once to examine the defence of the Vedantin; upon the soundness of which, to a great measure, depends the value of this Essay.

From the three adjectives given in Position 1st, we do not conceive how any legitimate inference regarding the reality or unreality of objects in the external world can be drawn. Those adjectives are intended to denote qualities, all of which are alike predicated of Existence (*Sattwa*). The phrase 'such as has to be dealt with' is a clumsy and ambiguous rendering of the term *Vyāvahārika*; which commonly signifies, *customary, usual, judicial*. Its substantive from *Vyāvahāra* is universally used in Bengal for *habit, behaviour, custom, usage*. No conclusion regarding the reality or unreality of 'matter' can be obtained from the quotation given in page 38. All that is asserted there, as seems to us, is that existence is divided into spiritual existence, customary or common existence, and apparent existence. With the exception of this last, the division agrees very well with our division into *spirit*, and *matter*; and because of the last, the Hindu analysis appears to us defective. Its defect arises naturally from the antecedent dogma of the 'Triguna,' and their product, 'Ignorance.' If 'existence' is real, then what is *apparent* existence? whatever it is, in the quotation it is asserted to have as much right to be called 'existence' as that to which the epithet *spiritual* is applied has. Moreover, the epithet 'seeming' must necessarily presuppose some known *real* existence, though it be but the product of imagination or dreams. The mention made of the 'unknown quiddity,' if employed in contempt of the theory regarding the reality of 'Matter,' is an attempt at begging the question under investigation.

But Dr. Ballantyne's defence of the Vedantin, taken as a whole, hinges upon the signification which he attributes to the

term 'Guna,' in position 2nd. The usual sense is a *quality*, a *cord*—or 'fetter' as Dr. Ballantyne has it, although we know not why he has selected the word 'fetter', any more than 'tether' or any other word for a cord employed to fasten two objects together. That the Hindus ever employed this word in the sense we attach to the words 'phenomenal, material,' Dr. Ballantyne has either neglected or failed to prove; and we have failed, after a mature consideration, to see sufficient reason for accepting the new signification which he proposes. We take the word 'phenomenal' here in its widest sense to signify not only all visible, but also all sensuous objects; which are sensuous indeed, by means of their qualities; but that decides nothing regarding their reality or unreality.

Now the view put forth here on this point, might be briefly stated thus:—The word 'guna' has but two primary significations in Hindu writings; namely, that of a quality; and that of a string, cord, or means for fastening and joining. That it ever signifies 'material, phenomenal,' appears to us to be unproved, if not unprovable from Hindu writings and usage. And hence it does not appear to be correct to say, that the phrase *Nirguna Brahma* conveys the same meaning to a Hindu, as the phrase *Immaterial God* does to a European; or even 'very much the same sense.'

Our reasons for making these assertions are briefly the following:—In the Nyaya and its collateral systems, the word 'dravya' is used for the objects of the phenomenal world; and 'Guna' is there used to denote what we call *qualities* which have their abode in substance (dravya). There 'Guna' cannot mean the phenomenal world. (Tarka Sangraha. 2-4, Vaiseshika. Aph. 5. 6. Bhasha Parichchheda. § 2-4). Secondly, The old lexicographer Amara Sina, in his *Kosha* makes 'guna' to signify, 'a bowstring; that which abides in substance, (dravya); goodness &c. (i. e. the Triguna); whiteness &c. (i. e. all colours); and that which joins &c.' (Amara Kosha. p. 124. verse 49.) Thirdly, though there is a degree of confusion about the signification of 'Guna' in the Sankhya and Yoga Aphorisms, arising from the previous adoption of the dogma of the 'Triguna' as the substance of 'Prakriti,' yet the passage quoted by Dr. Ballantyne (Sankhya Aph. Book I. Aph. 62.) does not appear to us to prove that the word 'guna' universally, but only as applied to the 'Three,' denotes qualities; and this the commentator—not Kapila—asserts of the 'Three,' 'because they are subservient to soul, and form the cords which bind the brute-beast to the soul.' Kapila's confused theory of creation, pressed hard, no doubt, upon the commentator; but it does not appear to us pro-



vable, that he has given a new meaning to the word 'guna.' Fourthly, It has not been shewn that any of the writers of the Vedánta and Mimánsá introduced this new signification to the term 'guna.' Fifthly, The use made of the word 'guna,' elsewhere in this Essay, does not appear to be altogether consistent with this technical signification. We are told, for example that:—

'Ignorance' (ajnána) is the aggregate of the phenomenal. (p. 49)

'Guna' is the sensible—the sum of the objects of sense. (p. 45)

'Therefore Ignorance' is 'Guna' and what is predicated of the one may be also predicated of the other. But Dr. Ballantyne says (p. 34) that 'Ignorance' is 'equivalent to, and identical with the sum-total of qualities.' But 'guna' are never less than three; and those three can never be identical with one another; they must be distinct, whether eternal or non-eternal, otherwise the foundation of the *Shad-Darshana* is swept away. Now it is not 'guna,' but an aggregate of *three gunas* is said to form 'Prakriti' by equipoise, in one system; and 'Ignorance' by a sum-total, in another. This 'Ignorance' therefore cannot be a synonym of 'guna,' since a sum-total of three is necessary to constitute it. Again (p. 34) 'Ignorance' is said to be 'bhava-rupa,' or in the *shape of entity*; can 'entity' be predicated of 'guna' also? If the dogma of the *Triguna* as 'pure cognition, lively emotion, and inertness,' (p. 35) be philosophically orthodox; why reject their *equipoise* in the shape of an unintelligent 'Prakriti;' and accept their *sum-total* in the shape of 'Ignorance,' as the creator of the world? If the *three qualities* are not eternal; and if they did not give existence to Ignorance, and Ignorance to the world; they are not those of the Vedánta; and Dr. Ballantyne's defence would be that of a shadow. Hence we cannot accept the technical sense proposed for the term 'guna.' Dr. Ballantyne has employed the word 'material' as an equivalent to the technical sense which he proposes of 'guna.' In Appendix A he attempts to shew that there is no word for our 'matter' in sanscrit. On this subject we wish, in passing, to propose two questions for the consideration of the learned Doctor. Supposing our word 'substance' were substituted for the sanscrit terms mentioned in that article—as by common usage, the word *substance* is applied to a spirit as well as to a lump of clay—would it be conclusive to infer, that *substance* is not a term expressive of what we are pleased to call 'matter?' If the sanscrit has no term for 'matter' as distinct from 'soul' or 'spirit,' then what is the distinction between the nine eternal atoms of the Nyáya; and the *Prakriti* of the Sankhya, and their *Purusha*? Dr. Ballantyne ought surely to

give some specific names for those two distinct substances; or admit that Hindu analysis is deplorably defective.

The truth of Position 3rd depends upon the view taken of the Vedántic analysis of man. If Dr. Ballantyne accepts the definition of man furnished by the Upanishads, and recapitulated in the Vedánta Sár; then indeed Vedántic assertions cannot be deemed 'extravagant' by him. Still we suppose the talented, laborious, and excellent missionary, Dr. Duff—for to him we take the allusion to be made in the phrase, 'a zealous writer against Vedántism,' (p. 43.)—may be allowed the liberty of forming his own opinion on the subject. But if the atomic substance called *mind*, as being an 'organ;' a distinct substance from soul; a creator of understanding; of self-consciousness, &c. is a fiction, and has no real existence in the constitution of man; then is the Vedantic system founded upon an imaginary foundation, and is 'extravagant' therefore, root and branch. Does Dr. Ballantyne accept the Ontology and Cosmology of the Vedánta Sár? Are those of the Bible and of Christendom to be tested by the speculations in that treatise? Is it a duty incumbent upon the disciple of the Bible to believe that the world in the abstract should be conceived to be Ignorance—Ignorance which itself has no absolute existence, but which consists of the totality of three qualities—Ignorance which in its totality is the causal body of God; and in its variety, forms the bodies of individual men; Ignorance which gives existence to the *Tanmátras* or five subtle elements, from which it produces intellect, mind, self-consciousness, the five sheathed man, and so forth? No doubt readers of the Bible will deem these doctrines *new*. But if they are true, it is a duty to believe them; and if it is a duty, Dr. Ballantyne should put forth more of his strength to prove and recommend them than he has done in these pages. We write not these lines in a cavilling spirit. Very far from it. We write them with deep grief, under an impression that in this defence of Vedantism, the Truth suffers wrong at the hands of a friend who thus strengthens against her, the hands of a class of men, the most irreverent and captious towards all that is True and Holy and Great.

We are not quite sure, that we understand the sense given to the word 'attribute' in Position 6th. Is it the substance of a thing, or something else attributed to the substance? If 'attribute' denotes the substantial being, as distinguished from the qualities, properties, or manifested powers, which usually serve as the marks (*lakshana*) of substance; and as the 'gunas' or cords by means of which a substance becomes known to others; then is such an 'attribute' the same as the *Brahma* of the

Vedānta—a thing without a mark, utterly unknown, utterly unknowable, and, as far as man is concerned, a perfect nonentity. This is indeed the Vedantic teaching of Brahma. But if the word 'attribute' is used to denote a power or quality belonging to a substantial being, by means of which it becomes manifested to others,—its usual acceptation—then has Vedāntic Brahma no such attribute, and the fact of 'extravagance' in expression is established. The Brahma of the popular *Upanishads*, the *Saririk Sutra*, and the *Vedanta Sar*, is said to be devoid of any such attributes. It is 'sheer existence, sheer thought.' If Dr. Ballantyne supposes that 'a Christian,' should accept the theories of the Vedantin and Berkeley in disproof of the 'unknown quiddity'—the substratum of the external world—how will he meet the theories of the Sankhyas and Hume in disproof of the substratum of spirit—and especially of the quality-less Brahma of the Vedanta?

It seems to be a great mistake and a great injustice to introduce the venerable Bishop of Cloyne into Vedantin fraternity. The Italian Giordano Bruno, the Jew Spinoza, the German Schelling, and even the Welsh-Breton Des Cartes could fraternize with much greater facility. Bruno, Spinoza, and Schelling would very nearly agree with the Vedantin as to the *fact* of the relations of creator and creation; though as to the *means* and *mode* of that relation, they would very greatly differ—the Hindu scheme being incomplete. The scheme of the Ontology of the Vedānta Sar, we take to be this:—

#### SCHEME OF ONTOLOGY.

- I. Vastu=Joy-thought=Brahma. A thing—Substance of all.
- II. The Triguna—Material of the phenomenal. (How the Triguna were originated; and how related to Vastu, is not explained. It is said in the Upanishad that *Vastu*=Brahma, is incapable of sustaining relations; and has none.) From the Totality of the Triguna arose:—
- III. Ignorance=Maya. Which envelopes the 'Ego,' and projects the 'non-Ego.' (Whence came the 'Ego' is not explained. But to this 'Ahām'='Ego' it is said that neither 'Ego' nor 'non-Ego' could exist, were it not for 'Ignorance.' The theory seems confused. In the Vedānta Sar it appears to stand thus: *Ajnāna* found an 'Ego,' (Ahām) enveloped it, and gave it a conceit of individual existence. And also, there being no 'non-Ego,' *Ajnāna* gave the 'Ego' a notion that there was.)

Against this, at a great distance from it, as regards exactness of treatment, might be given Schelling's theory of Identity

For convenience's sake Tennemann's synopsis in Morell's translation is furnished :—

SCHELLING'S SCHEME OF ONTOLOGY.

I. The absolute—the universe in its original form—The deity manifested in

II. Nature (the absolute in its secondary form) as Relative and Real—as Relative and Ideal; according to the following gradations :

Weight—Matter.  
Light—Motion,  
Organic structure—Life.

Truth—Science.  
Goodness—Religion.  
Beauty—Art.

Above these gradations, and independent of them, are arranged :

Man (as a-Microcosm).  
The system of the world (the external universe).

The State.  
History.

The similarity of the principle will be discovered at once. It should be observed, however, that Schelling commences with *Das Absolute*, which admits of the predicate Relative; but *Vastu* and *Brahma* admit of no predicates. The German's superiority in treatment is very obvious. The Hindus are far inferior to the more imaginative Bruno in their method of development. The Hindu begins by begging the question, he takes for granted that *Vastu* is the substance of the world; and displays all his powers in the attempt to answer the question, 'How came the infinite, unconditioned Thing, to appear finite?' The individual soul, admitting the limits of its capacities, replies, 'I don't know.' And then making that 'Ignorance' the means of his rescue, he undertakes to explain the whole. According to the theory, the *Vastu* never moves, never wills, never acts. The dogma of the *Triguna* does not appear to be indigenous in the Vedânt System. It appears there as an exotic taken up in its crude state, and left undefined and unexplained. Practically considered 'Ignorance' differs very little from 'Prakriti.' Both are unintelligent. Both create a phenomenal world; one a world of Illusions, the other a world of Qualities.

Here we close. The 'partial exposition of Christian doctrine' must be left for the present. We trust that we have succeeded, in some measure, in shewing, that the moral malady of the Hindus has not been so thoroughly examined and laid open in these Essays, as might be desired. The Sanserit version of Dr. Ballantyne, as regards language, is worthy of his scholarship. All Christendom owes him gratitude for what he has done. We doubt whether there are half-a-dozen Christians on earth, who could dress Christian sentiments in a Sanserit so chaste, idiomatic, and pure. Though we have been forced to differ from the

learned Doctor on some points; yet we hold his labours in high esteem; and expect much more from his able pen, in aid of the efforts to make Christianity known to the Hindus. There are two points of Christian doctrine, however, of such vital importance, that we regret much Dr. Ballantyne did not enlarge a little more upon them in this Essay. The innate moral depravity of our race and the atonement of Christ. Until the nature and extent of the moral malady are thoroughly known and felt, indifference to the physician and the remedy must prevail. The atonement of Christ has always been the great stumbling block, and the great remedy of the human species. It is the keystone of human hopes; and panacea for human afflictions.

In the atonement alone can our rebellious race behold:

‘ Truth, love, and mercy in triumph descending,  
And nature all glowing in Eden’s first bloom;  
On the cold cheek of death smiles and roses are blending,  
And beauty immortal awakes from the tomb.’

Man not only reasons; but also feels. Midway between Reason and Feeling—between the understanding and the heart, between faith and love, is the true place of True Religion. To treat religion—and particularly the Christian religion,—as a metaphysical speculation, is a great injustice towards the God of compassion and love who revealed it; and a great wrong towards the sin-stricken and bewildered man who is in need of it. The religion of the heart only can gain the affections of the Hindus, console, and save them.

Every Hindu, every day that he lives, sees and feels the blighting influences of innate and of actual depravity. He is fully aware that the intellect, the affections, the emotions and the passions of his soul, have fallen into a state of disorder and confusion; that somehow or other, there has been an upsetting of all the furniture of his spiritual nature. Christianity is the only religion among men, that can explain to him the origin, the mode, and the extent of this moral disorder which has befallen his relation with his Maker, Ruler, and Judge. And we regret exceedingly to observe that the Essay contains not a single ‘Aphorism,’ to explain to the Hindu, how the Bible accounts for, dissects, and explains the diseased state of his moral and spiritual nature.

The doctrine of the Atonement also, has not obtained the prominence which its importance demands and deserves. It has been compressed into a single Aphorism, of just two pages, in a *fourth Book*, ‘Of the mysterious points in Christianity,’ preceded by an Aphorism upon the ‘Rule of Excluded Middle.’ This remark proceeds not from a light or censorious spirit, refer-

ring to an apparent incongruity—it proceeds from a spirit quite the reverse. Our heart bleeds. A hundred and fifty millions of deluded men are present before our mind. Those men look up to their few learned teachers, with deep-felt reverence and blind confidence.. Here is an Essay written expressly for those teachers; and through them for the millions; having for its object to make known the only remedy provided by a merciful Creator, for maladies which all of them feel, and none of them can cure—to explain to them the conditions of the *new* proclamation of peace and pardon to our rebellious race. We feel, thus deeply because we fear, lest that Essay be too metaphysical, and too brief, to enable its readers to understand the dangerous nature of their maladies, the heinousness of the guilt of their wilful rebellion, and the adaptation and efficacy of the remedy offered them in the Bible. In any future editions of this Essay; and in any future productions from the same able pen for the learned Hindu, we sincerely trust that Jesus Christ shall occupy a far more prominent place.

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ART. V.—*Lord Canning's Speech at the opening of the Rajmahal Railway.*

LAST September, the Ganges at Rajmahal was tapped by the Railway.\* Henceforth neither passengers nor costly goods will be subject to the freaks of the Nuddea Rivers. The apex of the Delta has been touched by the Iron Horse, and a life and activity will, in consequence, be given to the neighbourhood of Rajmahal, such as has not been known there since Gaur the city of one hundred kings ceased to be the metropolis of Bengal and Behar, and for which its position at the top of the Delta, admirably adapted it.

But it is not merely in connection with Rajmahal and its hills, once the scenes of a bustling activity and of a numerous population, that this opening is to be viewed with interest. The Railway will bring a tide of trade and social life into those solitudes of Behar, once the seat of an Empire over which the great Asoka stretched his rule. The traveller, who, in a miserable, expensive palki, tries to penetrate the fastnesses south of Bhagulpur, finds before him, in every direction, the wrecks and mouldering remains of former greatness. Buddhism has left indelible traces of itself on basalt images, in caves and on the rocks of Rajgriha and Monghyr, while the mountain eyries of the highland Chiefs of Rajmahal shew what power the feudal system exercised, in the days of Behar's greatness. What will it be when the whole country from Rajmahal to Benares becomes pervious to the merchant, the miner, the missionary, the schoolmaster and even the indolent Bengali babu?

As an instrument for awakening an interest in Behar's mental, religious and social improvement, the railway will be of great value. The Behar people have, ever since Buddhist days, been cut off from mental light and intercourse with foreigners: the Moguls did little for Behar; its fine population were never appealed to on moral or intellectual topics, since the days that Sakyea Muni made the groves of Gaya echo with Buddhist mottos. We quote on this subject the excellent remarks of Lord Canning, made at the opening of the Rajmahal Railway.

\* Not far from the spot where according to Hindu myth, Kapil Muni, disturbed by it in his devotions, swallowed the whole river:—this myth probably referred to that change in its bed, that sent the main stream in an Easterly direction, while formerly it flowed down by Nuddea.

‘We began this day’s journey at a spot washed by the tides of the Bay of Bengal, and within a stone’s throw of the anchorage of some of the noblest ships, which, to the furtherance of commerce and all its attendant blessings, the skill and enterprise of our fellow-country-men have launched upon the ocean. We have ended it in an inland district, 200 miles off, where not only are the uses of the great highway of nations uncared for and unknown, but where the very name of the “black water” is a word of mystery and terror. We began our journey at the chief seat of Western trade and civilization on this side of the globe, the head quarters of England’s power in Asia, and we have closed it almost under the walls of the ancient capital of Bengal and Behar—the city of Gour—which, little more than two centuries ago, was not surpassed by any in India, for its busy population and magnificence, but which now lies a mass of tangled ruins and rank forest, tenanted by wild beasts, reeking with fever, and void not only of human industry, but of human life. In travelling between these two points,—points of such striking contrast—we have passed through a country teeming with population and covered thick with all that is necessary to the sustenance of man. We have skirted a district abounding in mineral wealth, and already eagerly seizing the opportunity, as yet imperfectly afforded to it, of pouring this wealth into the great centre of activity in Calcutta. We have been carried through the wild country of the Sonthals, one of the rudest and wildest races of India, but a race not insensible to kindly government, and who, if their hills and jungles had been as accessible five years ago as they are now, would have been at once checked in a purposeless rebellion. Lastly, we find ourselves standing on the bank of the great Ganges, at that point at which it is in the interests of Commerce, that the tedious and uncertain navigation of its lower waters should be exchanged for a short and secure land carriage.’

The Rajmahal Railway, like the Mutla Line, its future southern extension, has been driven through a land of tigers and cholera; on both lines the laborers have had to battle with the deadly miasma of jungles, the growth of centuries;—and in some instances have been carried off, in broad daylight, by wild beasts, whose lairs, undisturbed for ages have been intruded on by the stranger with his iron road. Three centuries ago there was a dense population near the Rajmahal hills, as there was then in the Sunderbunds. In the centre of the Santal Country are to be found now the remains of large tanks and palaces, erected before the Santal migrated into it, about sixty years ago.

In a similar way, in North Tirhut, the ruins of the once mighty cities of Janakpu and Simrun, 14 miles in circumference, remain amid what are now the haunts of tigers and boars, rife with malaria. It was the long struggle between Hindus and Moslem that reduced this land to a terai or deadly jungle. Some similar catastrophe must have taken place in the Rajmahal hills.

One great advantage we look forward to from the railway is, that it will leave those Europeans without excuse, who fancy that, because they know Calcutta or one of the Presidency towns, they are therefore competent to give an opinion on India, or even on Bengal. Even eight hours by this Railway will tell them not to judge Behar men by the Bengali standard; they will see there a different race of men. In a few years a Calcutta



cockney, who has never travelled beyond Chandernagore, will be a curiosity fit for the British Museum. The railway will also check that tendency to centralization which looms so fearfully in the future horizon of India. Federalism, which combines local action with a centralizing supervision, is what we want, and the railway will, in one respect, greatly favour the principle of 'unity amid diversity.' As the stream of the Ganges, like that of the Nile, and other great rivers, has been the diffuser of civilization along its banks, so is the railway likely to prove a line of light through mofussil darkness, enabling the merchant, the educator, and the missionary to gain access to 'the highways and hedges' of the Santal and other districts.

Holidays will be rendered doubly valuable by the Railway, as Lord Canning remarked in his Rajmahal Speech :

'The vast distances to be traversed by all whom business or pleasure puts in motion, the fierce climate which for so many hours of the day makes exertion and exposure eminently hazardous, and the fact that a life of bodily activity or mental toil in India is one of daily risk—all conspire to render any alleviation of labor, and any new facilities for relaxation, a boon of inestimable value to every class, whether soldier or civilian, independent gentleman, or servant of the State.'

'To British Science and British Enterprise shall be committed in India the noble task of bringing security, comfort, and comparative wealth within the reach of races as yet ignorant of these; of extending the field of profitable industry to them; of supplying the wants of some by the superfluities of others; of enhancing prosperity where it exists, and of reviving it where it has drooped and decayed; of promoting fellowship between men, and of bringing light into dark places.'

The railway will increase country tastes and particularly favor the study of geology and botany, so neglected in this country. The class of natives will gradually become rare, who, like a Bengali babu some time ago, could tell a Geological Surveyor he had seen many hills near Calcutta; when asked, where? he said,—the embankments of the tanks.

Punctuality, so wanting in our native friends, will be taught more effectively by the rail than by the schoolmaster,—the train waits for no one, as many a native has already found to his cost.

To show the gradually increasing influence of this line, we give the following tables—which tell their own story. They show how the masses appreciate the railway.

#### EAST INDIAN RAILWAY.

*The numbers conveyed per mile were in*

1854-55	...	...	...	...	2,983
1855-56	..	..	..	..	6,933
1856-57	...	...	...	...	8,377
1857-58	..	..	..	...	9,120
1858-59	..	..	..	...	9,661

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*Numbers conveyed of each Class per mile.*

YEAR ENDING.	1st Class.	2nd Class.	3rd Class.
30th June 1855.	77.6	375.6	2,630.0
" 1856.	100.4	442.7	6,389.5
" 1857.	110.8	432.2	7,834.3
" 1858.	122.0	427.8	8,562.8
" 1859.	100.3	403.5	9,151.6

*Receipts from each Class.*

YEAR ENDING.	1st Class.	2nd Class.	3rd Class.	Total.	Average Receipts per mile.
	£	£	£	£	£
30th June 1855.	1,890	2,940	18,658	23,487	194.8
" 1856.	2,631	3,801	28,355	34,787	353.6
" 1857.	3,705	4,811	45,938	54,454	450.2
" 1858.	5,132	5,957	47,787	58,876	486.4
" 1859.	5,814	5,109	62,904	73,827	520.8

*Passengers conveyed by the East Indian Railway.*

YEAR ENDING.	Miles open.	NUMBER OF PASSENGERS.			Total.
		1st Class	2nd Class.	3rd Class	
31st May 1855	121	9,302	43,896	339,546	392,744
30th June 1856.	121	12,049	51,674	774,145	837,868
" 1857.	121	13,469	52,391	947,958	1,013,818
" 1858.	121	14,763	51,765	1,037,166	1,103,694
" 1859.	142	15,106	57,309	1,199,517*	1,271,932

(24 Miles, opened 1st October, 1858.)

\* It was often said that caste, and native prejudice would prevent the mass of natives availing themselves of the rail: but in India, as elsewhere the common people have more common sense than they get credit for—cheap fares, and comparative freedom from railway accidents, decided the question.

# 114 RAJMAHAL, ITS RAILWAY AND HISTORICAL ASSOCIATIONS.

## *Receipts from Passengers and Goods, on the East Indian Railway, with working expenses.*

YEAR ENDING.	Passengers.	Miscellaneous.	Goods.	Total.	Working Expenses.	Net Profits.
	£	£	£	£	£	£
30th June 1855.	23,197	1,021	0,037	31,453	20,822	10,631
" 1856.	43,790	4,018	33,771	82,178	33,765	48,413
" 1857.	64,481	6,598	52,561	113,640	44,162	69,478
" 1858.	58,856	14,572	76,801	150,229	62,507	87,722
" 1859.	73,917	12,751	1,18,889	205,557	96,184	109,373

Another social point connected with the Railway relates to treatment of the natives working on it. On this we quote from Lord Canning's speech at Rajmahal, where having thanked the Company's officers for the treatment of their natives, he observed.

'Their treatment and management of the population with whom they have been brought into daily contact has been worthy of all praise. I speak from personal knowledge on this point. During three years, until the time when the chief Governmental superintendence of its affairs was committed to the able and watchful care of my honorable friend the Lieutenant Governor, the E. I. Railway was directly under the control of the Governor General in Council; and I cannot call to mind that in that time a single instance occurred of coercion or oppression on the part of the officers of the Company, or of any want of cordiality and good will between the employers and their native servants, or laborers. I can remember no case of harsh dealing, or inconsiderateness of any kind. Both parties soon understood each other, and there has, so far as I know, been no interruption of that good understanding.'

'This, let me say it, is no light praise. The natives of Bengal, of whom, in one way and another not less than 118,000 are daily working on this Railway, are, in this part of the province, a timid suspicious people, easily taking alarm at novelties, averse to interference with their usages, unused to steady labor, fickle, and too often crooked in their ways. There are however, a few painful exceptions, chiefly with regard to contractors. Mr. Turnbull remarks of the contractors of the Patna division. "The railway works were in very bad odour among the natives, whose dealings with the late contractors left no favorable impressions on their minds."

He then made the following remarks: which deserve to be written in letters of gold,

'Gentlemen, it is of no use to deny or conceal it, for it is known to all the world, we Englishmen with all our great national characteristics, are not, as a people, conciliatory or attractive. God forbid that any of us should feel ashamed of his national character, or wish it to be other than it is. But none amongst us will deny that the very virtues of that character are not seldom exaggerated into faults. We are powerful in body and mind, and we are proud of that power. We are self-reliant, and justly so, and we like to shew our self-reliance. We are conscious of our own high purposes, and enlightenment, and we are apt to look down upon those, whose motives we believe to be less worthy than our own, or whom we regard as debased in ignorance, and we do not care to conceal our feelings. These failings are not inconsistent with our national greatness. In the days of slavery, Englishmen were amongst the hardest task-masters that the

African ever had; but England did not hesitate to spend her gold and her blood lavishly for the suppression of the Slave Trade, and we poured out our twenty millions like water, when we found that it was the only means by which to rid ourselves of the curse of slavery.'

'But, Gentlemen, no people, whatever their condition, will patiently bear to be treated by their rulers as though they were less than men, less rational, less capable of right feeling than those who rule them. If we attempt, individually or collectively, to do this, if we neglect to win the heart of those over whom Providence has placed us, if instead of seeking to inspire them with confidence, we take for our maxim that the people of India should be governed as a conquered people—which, as I understand it, means that they should be governed by sheer force,—if in our pride or impatience we refuse to show forbearance and indulgence to the weaknesses and shortcomings which attend us, we shall not worthily represent England in the great work which lies before her, and we shall assuredly fail to accomplish it.'

We give in a tabular statement the number of natives employed, on the Railway and their respective localities. Such a number of men, with such wages, must have had a considerable effect on the labour market of Bengal.

### EAST INDIAN RAILWAY.

#### BENGAL DIVISION.

*Statement of daily average of work-people employed on the construction of the several Divisions of the line of Railway, for the twelve months, from the 31st May, 1859 to 31st May, 1860.*

NAMES OF DIVISIONS OR DISTRICTS.	Excavators.	Brickmakers.	Bricklayers.	Labourers.	Carpenters.	Sawyers.	Blacksmiths.	Total.
	Per day.	Per day.	Per day.	Per day.	Per day.	Per day.	Per day.	Per day.
South Birkham, ...	755	376	312	9,070	117	69	498	11,497
North Birkham, ...	3,185	152	306	4,490	118	67	14	8,092
South Rajmahal, ...	4,773	153	65	5,275	91	25	22	10,407
Centre Rajmahal, ...	4,387	none	260	4,508	327	101	89	13,672
North Rajmahal, ...	4,853	286	184	6,903	344	18	81	12,658
Birponta, ...	3,670	655	180	5,291	115	47	30	9,898
Bhagulpur, ...	482	262	100	5,911	70	15	21	1,981
Jhangirah, ...	2,121	403	177	2,014	26	17	13	4,771
Mouhryr, ...	1,322	485	311	4,961	285	60	324	7,751
Kul, ...	663	206	106	2,764	142	69	60	4,639
Hallohur, ...	2,122	903	276	1,396	137	92	84	7,950
Bar, ...	2,144	920	215	3,672	122	54	14	7,159
Patna, ...	905	104	125	3,045	122	15	26	4,311
Soane District, ...	2,802	874	548	4,336	84	35	34	8,772
Soane Bridge, ...	72	69	1,494	294	38	81	32	4,990
Total,	38,416	6,297	5,065	94,992	2,441	734	1,313	118,791

(Signed) GEORGE TURNBULL,

20th September, 1860.

We give further Tables at page 141.

The trunk line is now via Rajmahal, which will answer as far as Monghyr, and so onwards as the loop line, but we believe the direct communication with the N. W. P. will ultimately be by the Barrakur to Patna, thus saving 100 miles, and opening out the Cornwall, as well as the Switzerland of Bengal to the philanthropist, and the merchant. Already an extension is being made to the Barrakur from Ranigunj: it will then probably pass by the Kuhurbali Coal Fields, and through the Gobindpur Valley, which is the exit from the high table land of Ramghur to the fertile plains of Behar and so on to Patna. The rail will create a wide extent of traffic, as has been shewn by the opening at Bhedea and elsewhere.\*

In addition to the Ranigunj line being likely to be the main one, it will lead to *Parasnath*, and on the completion of the present extension line to the Barrakur, a drive of 54 miles only will lead to the top of *Parasnath*, or by the future main line from the Barrakur to Patna, which will land the traveller at the Kuhurbali Coal Fields, with the adjacent copper mines, only 20 miles distant from *Parasnath*.

\* The bill scenery beyond the Barrakur extending to *Parasnath* and the Dunwa pass will be most refreshing to the person 'long in populous cities'—Even now, one can leave Calcutta by the mail train at night and breakfast in the morning at the top of *Parasnath*.

Major Sherwill, so well known for the valuable Statistical information he has furnished the public regarding Bhagulpur, Monghyr, Malda, and the Sunderbunds, has lately published a letter on the subject of a direct line in which he gives the following arguments in its favor—Patna and the N. W. P. would be 300 instead of 100 miles from Calcutta—Coal from Kuhurbali could be laid down at Patna, for the same price as Ranigunj Coal is sold in Calcutta—the fertility of the country between Gobindpur Valley and the Ganges produces heavy crops from a soil that has not been manured for 2000 years—even the roads are ploughed up in the wet season to give a crop—the exports are forwarded only by pack-bullocks, dilatory and expensive, to the Ganges, where the produce is sent by boats to Calcutta. Zemindars and exporters could go by train to Calcutta, instead of trusting dishonest brokers and grain-dealers who fleece them. Close to the hills is much waste land not cultivated, because the exports would hardly pay its carriage to the Ganges. The Zemindars of Behar are rich, and food is cheap.—Pergunnah Surrai, Nurhut, Behar, along the proposed lines are the chief places which furnish Rice, Wheat, Barley, Gram, Oil-seeds, Sugar, Tobacco, Turmeric, Mace, Iron, Hides, Gums, Dye Stuffs, Tassar, Carpets, Stone-plates, Ochre.—100,000 Pilgrims from the N. W. P. and Gya pass along this line, and in the cold weather, taking the route to Deoghur and Juggernauth, returning at the close of the cold season; at Kurukdehe, the stream of pilgrims divides; the one proceeding south to the *Parasnath*, the other east to Deoghur; they again unite near Burdwan. The train would take up the *Parasnath* pilgrims at Nawadah, and convey them to Kuhurbali, and after visiting *Parasnath* would take them to Ranigunj. The pilgrims going to Deoghur would be conveyed also from Nawadah to Kurukdehe 50 miles.—The Brahmins do not object to pilgrims travelling by rail as they arrive much richer and better able to offer a large present to the Brahmins. The Gobindpur Valley is now much dreaded by pilgrims who on their passage keep watch and ward all night long to prevent the attacks of tigers and thieves. Immense numbers of local pilgrims stream towards the

The construction of the Railway itself presents many objects of interest—rails, the difficulty of their supply—sleepers, whether more lasting of iron or of wood; the latter how best prepared—fencing, the most effectual kind—bridges, their well foundations, their piers, their arches, their girders—ballast, the various descriptions, artificial and natural—the beds of rivers, if changed for railway bridges, how far likely to be permanent—contractors, their failures and the causes—the epidemics and mortality among the coolies, how far avoidable. But our object in this article is rather to interest our readers in the moral and social aspects presented by the extension of the railway, enlarging the views of Europeans and Natives, lessening the influence of caste, and increasing the facilities of travelling, and so making more accessible the various places of historical interest which lie near the line.

As the historical associations on the Railway line between Calcutta and Ranigunj, connected with the French at Chander-nagor, the Dutch at Chinsura, and the Portuguese at Hugly, have been noticed in Cone's Railway Guide, we will begin with the Kanai or Burdwan junction, which will eventually supersede Burdwan as an engine-changing station, connecting the Ranigunj station with the main line by a loop line, and confine our remarks to places between that and Rajmahal, where the line ends at present. Our space is limited, consequently our notices must be brief; but ample information may be found in old histories. We notice places in the order in which they lie, starting from Burdwan.

We enter the Birbhum District across the Aji. The Aji which rises near Monghyr, separates Birbhum from the Burdwan District, which receives along with Tirthut, the name of the garden of Bengal. It is navigable only for a few weeks in the rains. Coal mines are met close to its banks. This river receives a number of tributaries: it flows into the Hugly near Cutwa, memorable for Clive's Victory of Plassey. We cross the Aji river by a bridge 1,800 feet long, over arches of 50 feet span each. We leave behind the Burdwan District, and enter the Birbhum Zillah, the Bengal Highlands. A Scotchman would smile at these being called Highlands, but they are such to a Calcutta man. These hills were once noted for Mahatta raids, but will hereafter, we trust, be associated with iron and copper

Rajgir Hills, the reputed birth place of Gautama: these are 12 miles south-west of Behar city, close to the proposed line and have 12 hot and 4 cold springs. Commerce in Asiatic countries generally follows the same road as that pursued by pilgrims. The Behar people are fond of travelling, having numerous shrines or places of local veneration in their district.

foundries, and the development of extensive mineral resources. Birbhum was once a little Belgium, an arena for Mahratta and Moslem to exhibit their prowess in, though the former generally adopted the Parthian system of warfare, fighting and retreating. As late as A. D. 1814, the roads were so infested with robbers, that pilgrims could not pass through Deogur on the way from Benares to Jagannath—but by giving the robbers lands, on condition of keeping the roads clear, the robberies were put down. The oldest town in Birbhum is *Nagore*, the residence of a Musalman Raja; it has an entrenchment thrown up against the Mahrattas, from twelve to eighteen feet high, which extends round the town for the distance of thirty two miles. *Moliner* on the road from Suri to Murshidabad is surrounded by eighty tanks;—in this Zillah, tanks for irrigation are very common. It is very important for these districts that there are a number of jhils, which serve as natural drainage basins in the freshes, and prevent the floods from devastating the country. Artificial basins, with a similar view, are now being formed near the Mississippi. *Baklesur* is noted for its hot-springs and cheating Brahmans. *Baidyanath* is a famous place of pilgrimage for Hindus from all parts of India, but especially from Scinde and Rajputana; they come in February. Its temple is said to have been built by a Chol Raja from Mysore, who had invaded the country.

Surul, the first station North of the Aji, has largely increased since the Railway staff settled here! The great mortality in certain parts of the South Birbhum District, has led to various sanitary improvements in Surul:—it has a dispensary and hospital; near Surul are the remains of the old commercial residency, retaining with its twenty five rooms, the relics of the old palatial style and mode of living, when the Residents were the princes of the land. A road, metalled and bridged, leads from the Surul station to Ilambazar noted for its elegant lac ornaments made by only two men. It is on the Damuda, which is there a quarter of a mile wide. The country to the West is described as an extensive coal field, having also plenty of iron.—*Culwa* is thirty one miles distant from Surul.

The next place of importance is *Synthea*: the Bridge is 1,500 feet long; in the dry season it is over a wilderness of sand. Water is procured by digging in the sands of this river. The bed of the More river here is in places quite black with magnetic iron dust, which clings in clusters to the magnet. The lover of Geology may see to the north of the village a high gravel bank, composed of pink quartz, with pieces of quartz felspar, and pisiform iron ore intermixed. The Harpah or bore in

this river at the first fall of rain is a curious sight. A journey of an hour and three quarters from Synthea takes the traveller to the Birbhum Iron works of Messrs Mackey & Co.: the first pig iron manufactured in Bengal upon the English principle, was smelted here in January 1856; two tons of iron are produced daily, and three European smelters are employed. The district is rich in coals, and iron; even the ballast laid along the line at Synthea gives 15 per cent. of iron. A metalled road, eight miles long, leads from Synthea to Suri, the capital of Birbhum.

A road leads from Synthea to Jammakundi, a large town with many substantial buildings and temples, sixteen miles S. W. of Berhampore. Beyond this is Rangamatti, the site of an extensive city, when the Ganges, then four miles wide, flowed by it. The Western boundary of the river may be still distinctly traced by a bank of stiff clay, gravel, and nodular limestone, about fifteen feet high, which runs along as far as Rajmahal.

*Rampur Hat* is a changing station of the Railway. The house of the Resident Engineer, with its nice garden in front, is a pleasant sight. This place was in great danger during the last Santal insurrection, and some hard fighting took place near it. We trust the authorities have learnt the lesson, that the school-master is, in the long run, cheaper than the soldier. This insurrection, which might have been easily prevented, had the officials redressed the evils of the Mahajan system *in time*, cost the Government many lacs. Similarly the expenditure against the Kukis, a few months ago, cost the State one lac of rupees. The Santal leaders, were simple ryots, and their allies were cowherds, oilmen and blacksmiths.

*Nalhati* is the first station in the Murshidabad District, now so famous for its mulberry cultivation. A road leads from this via Jeaganj, a large mercantile emporium, to the city of Murshidabad, thirty five miles distant, and may ultimately form a branch line of the railway. Whoever wishes to study the morals and manners of a Moslem Court during the last century, must peruse the pages of the *Scir Mutakherin*, where the state of things previous to the English conquest is unfolded—the name of Ali Verdy Khan is the one redeeming feature in the landscape. The voice of revels is now hushed in Murshidabad—its Moslem nobles left it when the capital was removed. But the ruins, of Gysabad near it, not far from the Nalhati road, remind us with its Pali inscriptions, of the day when Buddhism ruled the country instead of the Crescent. Captain J. E. Gastrell, in his Statistical Report of Murshidabad, states of this place, ‘Moorshedabad, commonly called by the natives Maksoodabad, is seven



'miles South of Jeeagunge, on the Bhaugiruttee. There are no defined limits to it as a city, nor is there any part known specially by the above names; it appears to be a name given to an indiscriminate mass of temples, mosques, handsome pucca houses, gardens, walled enclosures, huts, hovels and tangled jungle containing the ruins of many edifices that have sprung up, and decayed, around the residences of the former and present Nawabs Nazim of Moorshedabad.'

*Murshidabad* calls up many historical associations, numerous enough to have an article to itself in this Review. It is full of the past;—the days of Jagat Set, the Rothschild of Bengal,—of Ali Verdy its Akbar,—of Suraja Daula, of the Aurungzebe type. The objects worth seeing now are the Palace, the tombs of Ali Verdy, and of Suraja Daula, the ruins of the Residency, of the Dutch factory at Kalkapur, and the ivory carvings of Murshidabad. For an account of these consult Captain Gastrell's Geographical Report of the Murshidabad District, and the Seir Mutakherin.

*Pulsa* is on the Bansli one of those hill streams which rise to such an enormous height after a heavy flood. Jungipur on the Bhagirathi is only sixteen miles from Pulsa. Near Pulsa is the Nobinger Jhil a great haunt for tigers, who lurk in grass that grows twenty feet high: this jhil was probably the old bed of the Ganges.

*Pakour* is the first Station we meet with in the Santal country. It is the residence of one of the Santal Deputy Commissioners. There is a Martello tower here thirty feet high and twenty feet in diameter, loopholed for musketry, with space on the top for one or two light guns. It was built in 1856 for the protection of the railway officers, and railway bungalows, when the latter were rebuilt after the Santal insurrection of 1856. This tower afforded protection against a company of mutinous sepoys in 1858. From the tower a fine view is to be had of the Rajmahal hills, and Jungipur. Pakour contains 1,400 houses, and is the residence of a Raja. A road is being made from Pakour to Suti thirteen and a half miles, at the junction of the Bhagirathi and Ganges rivers which will open out an important place of trade. Within sixteen miles of Suti is the Mahananda river, the great artery of the Malda District, and forming the boundary between Dinajpur and Rungpur. Malda is situated on it, and the ruins of Gaur are within a few miles of it; near it is Bogwangola, on the banks of the Ganges, occupied chiefly by sheds for the accommodation of the grain merchants who resort to the fair there: it is therefore more of an encampment than a town, the Ganges having repeatedly swept the place away. A road from Malda to Jungipur will shortly be finished. *Geria* five miles N.

E. of Jungipur, famous for its silk filatures, is memorable as the place where Major Adams, at the head of 800 English and 2000 Sipahis, defeated, in a hard fought battle, Mir Kassim's Troops in August 1768. Patna at that time was lost to the English.

A little beyond Pakour we cross the *Bansli* River by a bridge with 8 openings, 60 feet wide, 35 feet above the river's level; a mile to the west on its banks is Moheipur, where in 1855, a body of 8,000 Santals were defeated by a detachment of Sepoys, and stripped of the plunder they had gained at Pakour.

The cuttings are through basalt and gravel to a depth of 18 feet. The line from the More to Rajmahal was finished by the Railway Company, who in one year did as much work as the Contractors did in three.

*Bihna* is the nearest station to Burheit the capital of the Santal pergunnahs, accessible by a carriage road leading through a very pretty country, amid the windings of the Gomani valley. Near Burheit a battle was fought by the English with the Santals, which ended in the capture of their leaders Sidu and Kana, who believed themselves to be inspired by a god. It is lamentable to say, that for much of the interest now taken in the Santals we are indebted to fear; when in 1855 the Santal insurrection so suddenly and unexpectedly blazed forth, and it was ascertained that these simple people were driven to insurrection through oppressions unredressed, the cry was raised what has the Christian world done to enlighten them? Half the population to the east of Bahawa belong to the Vaishnab sect.

The works in the Gomani valley were very expensive, owing to the sickness of the coolies, consequent on the unhealthiness of the country. On the left of Bahawa lies the *Damini Koh*, distinguished for its fine scenery; but the hills have been much stripped of trees, in order to supply charcoal to the iron smelters of Birbhum. Coal mines are in various parts here very useful for brick-making on the railway, and in affording employment to the Santals.

The subject of irrigation is one of great consequence to the Damini Koh districts: though what Sir A. Cotton effected at Rajmundry may be impossible on the Ganges.\* Sir A. Cotton shews that a revenue of £ 8,000,000 sterling might be raised from works of irrigation; the example of the sandy desert of

\* At Rajmundry, he threw a weir 4 miles across the river, fronding it with 1,500 miles of channels to irrigate 700,000 acres. It soon doubled the revenue, raised the agricultural exports ten fold, and increased the annual number of boats in the canal from 700 the first year to 13,000 the last year.

the Cavery, rendered most fertile by irrigation, will ever remain as Col. Cotton's *monumentum ære perennius*.

*Uda Nulla Pass*, seen in the distance between the river and a spur of the hills, reminds us of the progress of British power; here, in 1763, Major Adams forced the lines of fortification erected by Kasim Ali, when he designed to make Rajmahal his Moslem capital, and Uda Nulla a barrier against the British, who have now reached Peshawar. The pass was formidably entrenched, the ditch being deep, fifty or sixty feet wide and full of water; it held out against the English for a month, but was carried by an attack on the hill forming the right of the lines, and a feint on the river end: but the loss was severe; this led to the reconquest of Monghyr, and the massacre of the English at Patna by Sombre the German adventurer.

The *Sita Pahar* cutting is a work of immense labor through solid basalt; three or four thousand men have been employed on the mining and blasting work. The first contractors abandoned it in despair. The stone is as hard as iron, but on exposure to the air melts away. A jhil to the East of Sita Pahar is navigable in the rains for boats to the Ganges.

The *Rajmahal Junction* was three years ago a dense tiger jungle; near it two Europeans were killed by Santals in the insurrection. Hill men and Santals may now be seen paying their pice to go by rail from the Junction. On the right the approach to Rajmahal is through jhils and jungle with an occasional ruin, *not yet* turned into ballast, peeping out. The *Domjala Jhil* South of Rajmahal is a fine sheet of water. In the rains it extends seven miles from East to West, three miles from North to South. Kasim Ali intended to have erected on its banks a fine summer house. There is also another fine jhil the Ananta Sarabar; both these jhils are cultivated in the dry season: the river in its vagaries probably flowed where those jhils are now. On the left, within a mile of Rajmahal Station, we pass Begumpur, which, three years ago, contained the ruins of the enormous Zenanah of Sultan Suja, capable of accommodating a thousand "lights of the harem"—all has been ruthlessly used up for ballast. To the North of it, a place, now a jhil, was once an extensive sheet of water, where regattas and aquatic sports were engaged in for the amusement of the inmates of the Zenana. Opposite to it the Sultan's Army of 30,000 men used to be encamped.

*Rajmahal*, the apex of the Bengal Delta is the *present* point for tapping the Ganges traffic. The Railway Company by means of two tram roads, have formed a connection between the river and station, available even when the Ganges is at its lowest; but

there is little doubt Rajmahal will, for up-country boats, have to yield the palm to Colgong, which saves a long detour: at all events even Rajmahal will save merchandise being forced for nine months in the year to make a detour, before reaching Calcutta, of five hundred miles,—by railway the distance is only two hundred miles; thus avoiding the Sunderbunds, with its salt water, and tigers, dangerous winds, pestiferous jungle and worm-eaten boats.

Time will gradually show the influence that will be exercised by the Railway over the populous and commercial districts of Malda, Bhagulpur, Purnea, Tirhut, Monghyr, Behar, Patna, Sarun, Shahabad, Ghazipur, mutually brought into contact by it, while tributary rivers form a link, such as the Kosi with Purnea, the Gandak with Tirhut and Gorukpur, the Gogra with Chupra and Gorukpur, the Surjya with Ghazipur and Azimghur, the Gumti with Jaunpur and Oude, and the Soane with Shahabad: Sugar, Salt, Opium, Indigo, Saltpetre, and Oilseed are already carried down the Ganges to the amount of ninety thousand tons annually.

Rajmahal is a modern city dating from Akbar's times.\* It has a pretty approach by rail through a hilly country: boulders are to be met with near it. The spot selected for the station is very suitable, as the river does not cut away, and it is near the native town. Rajmahal contained in 1811, two hundred brick houses, fifteen thousand thatch houses and thirty thousand people. During the whole time of the Mogul Government it was a place of some importance; but Jehangir's son, Sultan Sujah, was the real founder of it, by making it his residence and the capital of Bengal and Behar, for which by its locality it was well situated,—far better than Murshidabad. Subsequently disliking Gaur, which his grandfather had called an earthly paradise, he erected, A. D. 1630, at Rajmahal, a handsome palace, the *Sangdalan*, of which little now remains,† the stone having been used in building by the Nawabs of Murshidabad. The hall of black marble which once formed Sultan Suja's *boitakana*, now makes a comfortable sitting room for the Railway Engineer. The encroachments of the river, the demand for its

\* Major Wilford assigned it as the site of the ancient Palibothr, but he subsequently altered that opinion and assigned Bhagulpur as the site. Native tradition states that Timur laid the plan of it, induced mainly by its central situation, combined with a supply of good water; but Man Sing, a Rajput, raised it, in Akbar's time, to great note, and encouraged Hindus to resort largely to it.

† Except a small but elegant hall opening on the River's ancient bed. The roof is vaulted with stone delicately carved, the walls have traces of gildings and Arabic inscriptions. It is described by Heber, Journal Vol. I. p. 256.

stones for the Murshidabad palace, and English utilitarianism, have reduced the palace to a ruin. Tennant maintains (II—127) that its circumference was equal to that of Windsor: its walls were seven to fourteen feet thick, and twenty feet under the earth. Its flower gardens, aqueducts and galleries over the river, have passed away. South-West of the Sangdalan was the Phulvari garden-house erected by Sultan Suja.\* Near it at *Begunpoor* is the tomb of *Bakhtehome*,† widow of an aid-de-camp to Aurungzebe: it has a considerable endowment. The antiquities of Rajmahal commence a mile from the city on the Bhagulpore high road.‡ Some way South is the tomb of Ali Verdi Khan's father, and a little further South is *Nageswarbag*, a palace built by Kasim Ali, five hundred feet square.§

In 1638, an earthquake threw down many buildings in Rajmahal. Besides this a conflagration, and the subsequent removal of the capital to Dacca, led to its destruction. The few remains left near the present station, the material exuvie of a past social state, have been used as ballast. Bishop Heber visited Rajmahal in 1824, and fully describes the ruins. Heber's Journal, Vol. I. pp. 255-7.

The old grave-yard to the North-West of the Hotel contains the remains of Surgeon Boughton, the man who, having gone from Surat to Agra in 1636, and cured the daughter of Shah Jehan, as his fee obtained a patent for his countrymen to trade free of customs duties. He went with this view to Rajmahal and there cured one 'of the lights of' Sultan Suja's 'harem.' He remained in his service enjoying a splendid stipend and secured for his countrymen the privilege of free trade. In consequence of this the East India Company sent ten ships from England to Bengal, the agents of which were introduced to Sultan Suja at Rajmahal. They were kindly received, and their views of extending English trade were promoted; for the Sultan, like the great Akbar, was a friend to trade.

Following the Bhagulpur road to the West we come upon the ruins of old Rajmahal which for three miles stretched its line of

\* The Zenana now turned into ballast must have contained 200 separate apartments, and was situated on the banks of what was then a lake, several miles in extent, but which is now a fetid marsh.

† Occupied by a railway officer and loop-holed, a tower was erected in the Santal insurrection for defence.

‡ You pass to them through cottages, palm trees and ruined musajids.

§ Much of it has been used for ballasting the Rail. See drawing in the Calcutta Engineers' Journal, November 2nd, 1857; Ditto May 3rd 1859, of a ruined gateway.

aristocratic buildings on the bank of what was then the bed of the Ganges—no artisans or common people were allowed to live in this Belgravia of Rajmahal. We explored the ruins on an elephant; first, on the left hand side we come to the tomb of Miran who co-operated in the assassination of Sauraja Daula; lights are still kept burning at it;—then to *patara koti* a stone house built by a Mahajan;—then to the remains of the famous Jagat Set's house, of which only the foundations and two buttresses remain; he was worth in Clive's time £8,000,000 sterling; on the right we see the tomb of Eteramed Daula; near it the Roshun mosque built by the same prince two centuries ago. Four miles from Rajmahal, on the South side, is Man Singh's *Jumna Masjid*, great even in ruin.—The *Jumna masjid* was built by Man Singh as a palace, but a complaint being made by a jealous Moslem officer to the emperor Akbar, that he was building an idol temple, Man Singh to defeat his object, turned it into a mosque, measuring in the inside one hundred and thirty eight feet by sixty feet; and opposite to it, on a mound, he erected a splendid house, called Huduf, which is still shewn; it is about four miles from Rajmahal on the Bhagulpur road. Its ruins are still imposing, and, situated on an eminence, it must have had a fine view when the full tide of the Ganges swept close to its walls. Near it is a bridge with four towers, which Kasim Ali fled across, after his defeat at Uda Nulla, though he could have made a stand here, as it was fortified with cannon.

Long ages must have elapsed since the waves of the Bay of Bengal washed the Rajmahal hills,\* and ever since that period the Bengal Delta has been gradually extending into the sea; notwithstanding all the assertions of pilots and merchants, the day may not be probably far distant when much of the trade of

\* Assuming Ellet's calculations, that the Mississippi Delta took 45,000 years for its formation, the Ganges must have taken far more.

Tradition and local examination shew according to Buchanan Hamilton III. 15, that the Kosi formerly flowed, far to the South East, *via* Tajpur and joined the Bruhmaputra,—that the great lakes North and East from Malda, are remains of the Kosi, united to the Mahanadi, and that on the junction of the Ganges and Kosi, the two opened the passage now called the Padma, and the old bed of the Bhagirathi from Suti to Nuddlea, was deserted by the great river. This is in accordance with native tradition, which considers the Bhagirathi that flows down by Hugly as the true Ganges,—Captain Layard is of the same opinion, and so is Major Sherwill as the result of observation. At Tirtapur or Jahnavi, near the mouth of the Bhagirathi, is a famous place of pilgrimage, where, according to the myth, Kapil Muni swallowed the Ganges, and when Bhagirathi recovered her, she was stolen by Sunkasur, who led her down the banks of the Padma; with difficulty Bhagirathi recalled the Goddess to the narrow Channel at Suti. Hamilton writes of this: 'These legends I have no doubt owe their origin, to changes which have taken place in the course of the river, and which are probably of no very remote antiquity.'

Calcutta must be transferred to the Mutla, and the city of Palaces must submit to the freaks of the Ganges as Gaur has had to do. The Ganges forsook Gaur, and thus contributed to its decay, as the Nile's vagaries did to that of Memphis. The Delta of the Mississippi which advances five miles in a century, is a warning to Calcutta. Similarly the deposit of the Po has converted cities, which at the beginning of the Christian era were good seaports, into inland towns, now twenty miles away from the sea shore.

In 1841 a survey was made for a Ganges *Canal* between Rajmahal and Calcutta. Nothing has been done as yet; but the railway will not supersede river navigation for bulky articles, as has been shewn in England and America. In 1858, the subject was revived by Government, and Colonel Cotton made a survey on the assumption that not one-tenth of the present traffic could bear the expense of land carriage, that a canal one hundred and twenty yards broad and three deep, would greatly reduce the cost, besides furnishing irrigation to six millions acres, and to Calcutta fresh water and water power. The Ganges' discharge at Rajmahal, at its lowest, is 6,000,000 cubic yards per hour. He proposed to erect at Rajmahal a stone weir across the Ganges, twelve or fifteen feet above the summer level, with locks in it, to transmit the river traffic through Murshidabad, Kishnagur, Santipur. The current would be  $1\frac{1}{2}$  mile an hour.

Malda is connected with Rajmahal by a steamer which plies twice a day, between Rajmahal, and the Malda Ghat. Malda was famous last century, when those princely merchants, the Commercial Residents made it their abode, for providing the East India Company with silk and cotton. Malda is close to Gaur; but of Gaur, owing to Moslem plundering little remains. Rajmahal, Malda and Murshidabad have, for centuries, been supplied with building materials from it: now it is famous for its mosquitos and tigers. The best account of Gaur is by W. Creighton, who was employed as an Indigo Planter by C. Grant, from 1786 to 1807, and has left a description of it, published in 1817, with eighteen views and a topographical map. We insert a few memoranda of objects to be seen. Gaur, with its suburbs was nineteen miles long, by one and a half broad. Its river embankments were thirty feet high and one hundred and fifty broad; they had buildings on the top, were pierced by gateways forty feet high, opening on causeways paved with bricks. The *Fort* was one mile long, by half a mile broad. The *Sagur tank* runs one mile long by half a mile broad. The *Sona Masjid*, lined with black marble was one hundred and seventy feet long, by seventy-six broad, its four aisles covered by forty-four domes.—*Peroz Shah's Tower*,

ninety feet high, and twenty-one in diameter erected three centuries ago.—The *Dakkil gate*, forty-eight feet high, built A. D. 1466.—*Shah Husain's tomb*, the walls of which were cased with bricks, curiously carved and beautifully glazed blue and white; the best were removed for works in Fort William eighty or ninety years ago.—The *Painted Mosque*; its walls were cased inside and out with glazed bricks wrought in different patterns, colored white, green and blue, built A. D. 1475.—*Kadam Rasul*, built A. D. 1530, visited by pilgrims, to see the stone bearing the impression made by Muhammed's feet. It was brought from Mecca.

Gaur, according to Dow, was the capital of Bengal B. C. 750. We should like to see the data for this. It was more central for Behar and Bengal than Calcutta is, being near the heads of the rivers, which were then deeper than now.

We find that between A. D. 754 and A. D. 785, Gajanta ruled at Gaur which was an independent kingdom. He was the last of Adisur's dynasty, which was succeeded by the *Pāl* Rajas who ruled over Dinajpur, Kuch Behar, Kamarup, extending their empire to Orissa and the Vindya hills—they were Buddhists: their dynasty ceased A. D. 1040, with Mahmud of Ghizni's invasion, who had first taken Kanauj to which their dominion extended. A branch of those *Pāls* ruled over Gwalior. The Vaidya succeeded the *Pāl*. Lakshman Sen, who ruled from A. D. 1077 to A. D. 1114, was a great conqueror; Nepal and Oude fell under him. One of his successors removed the seat of Government to Nuddea to be at a greater distance from the Musulmans, but in A. D. 1200 Nuddea was taken by the Moslems.

A little beyond Rajmahal we come to the frontiers of the land of *Bahar*, which 2,300 years ago rose in revolt against the Brahminical priesthood and caste, and held for seven centuries the ascendancy in India, until fire and sword wielded by Brahmins drove the Buddhists out; but persecution did not extinguish them. Their proselytizing energy spread their system in Kabul, China, Burma, Ceylon, Mongolia, Tibet, and they have now the greatest number of followers of any religion on the face of the earth.\*

\* Many seeing the firm root Hinduism has taken in Bengal, fancy that Christianity cannot be introduced; but the name Gaur suggests to us, that the last Hindu dynasty that ruled in Gaur the *Pāl* Rajas, were Buddhists, and Hinduism was at such a low ebb, that Adisur King of Gaur, a Hindu by religion, was obliged to import Hindu priests from Kanauj:—the Brahmins of Bengal have only been six centuries settled in Bengal.

The moslem rulers of Gaur were great and powerful, but there is little record of them except their wars and the frequent changes of rulers through assassins.



The geological formation of the Rajmahal hills consists of successive layers of lava and basalt, with intercalated sedimentary deposits of sand and clay, and indurated ash, sandstone and shale, full of vegetable remains of five or six successive deposits, with volcanic rocks intervening, the whole rests on detached bases of the coal bearing rocks, and on gneiss, which are seen along the Western scarp: along the Eastern flats, near the hills, laterite or ironstone is abundant as also conglomerates. The age of the groups appears to be the same with the oolitic formation of Europe: trap of various structure and mineral character is poured over those rocks, including both columnar basalt, clay stone, crystalline, trap and pumice. It is curious to see how the molten matter, coming in contact with the upper beds of the stratified rocks, has indurated and vitrified them to an intense hardness. A report on the Geology of these Hills will shortly be published by Professor Oldham.

Not more memorable, last century, was Hounslow Heath for highwaymen or the Pentland Hills for Rob Roy's followers, than were the Northern fronts of the Rajmahal hills for the Pahari Robbers, who, descending from their mountain eyries plundered all defenceless travellers. Woe to the traveller whose boat had to lie to for a night near Colgong last century. We have traces of the dread of this all along in the ranges of forts, which extended from Rajmahal to Bhagulpur, the latter place then received its name, from being a city of refuge from hill banditti. Sahabganj had one of these forts; near it many Buddhist-Hindu images have been found. Tellia-gury was another, and it commanded the road to Rajmahal. Could we, after the manner of Sir W. Scott, call up the past, those hills could tell of many raids between the hill chiefs and the Moslem or Hindu rulers of the plains. Rajmahal, Bhagulpur and Monghyr, in consequence, were made great military stations to serve as a check on them. On the fall of the Moslem power the chiefs made constant raids on the plains; Captains Browne and Burke were employed for several years against them, but the allowance of a money grant, and mild means effected, under Cleveland's auspices, what the sword could not do; he ruled that petty disputes were to be settled by themselves, but that parties convict-

nation. They had little security for their lives or government. Pirs or Saints ruled them, and they shewed no quarter to Hindus: conversion or expulsion was the rule. They had not the tolerant spirit of the Moguls, and the people they had to deal with, Bengalis, had no courage to resist. The number of Pir-stans or monuments of saints in Dinajpur, erected on the ruins of Hindu temples shew their power. The Hindus in Bahar expelled the Buddhists, and the same measure was meted to them again by the Moslem.

ed of capital crimes were to be punished by the English judges.

The people on these hills, 'the Gaels of Asia' differ from the Santals in race, manners, language and tradition, and neither eat nor intermarry with them: they live in their cyries on the hill tops. Their faces are oval, their noses seldom arched. They are fond of drink, but good humoured in their cups: at a party one person helps all the rest to liquor, as no man could rely on the moderation of his appetite; their chief food is maize, and they worship a so-called god of that plant: they eat beef and drink beer, which other tribes do not. Their Government is patriarchal. Every family has some land, which is the property of the cultivators.

For ages they were untamed thieves and murderers, engaged in forays on the plains; while the Musalman Zemindars in reprisal shot them as dogs. Cleveland on becoming Collector of Bhagulpur, in 1779, adopted a policy of conciliation: he forbade the Zemindars, who were often the aggressors to attack them; he employed them in a militia corps,\* established bazars among them for the sale of the honey, wax, and hides which their hills produced; he gave them tax-free lands to cultivate wheat and barley on; he made shooting excursions with them into the hills, feasted their families, and pensioned the chiefs.†—Sons of the hill-men are now being educated at the Church mission school Bhagulpur; they generally become Sipahis.‡ The Hill men, like the Red men, however are gradually fading away—not before the White man, but before the Santal, whose superior industry has not only reclaimed the plains, but is also enabling him to creep up the hills.

Through the liberality of Government we have obtained access to all the M.S. correspondence extant between Cleveland and the authorities particularly Warren Hastings, who fully sympathised with Cleveland's views. The first letter from Cleveland to Warren Hastings§ is dated Bhagulpur, November

\* In Cleveland's time the corps amounted to 1,300, and were armed with the bow and arrow for a time: their native commandant was one Jowral, the Rob Roy of the hills, and he proved most active against his fellow-countrymen.

† Of the hills, while Santals occupy the valleys.

‡ On Cleveland's death, all his plans for teaching simple manufactures, providing them with implements of husbandry and seeds, were dropped. Colonel Shaw took some interest in them in 1787. Lord Hastings, too, while on a visit here, ordered them implements of husbandry and potato seed, but his orders were neglected.

§ W. Hastings was the first European in Bengal who conciliated natives by his interest in their studies and patronage of their literature; he urged Wilkins to bring out Bengali types in 1778, when the latter became at one and the same time metallurgist, engraver, founder, printer.

1779, in which month he was appointed Collector on a salary of 150 Rupees monthly. He says 'the success which has hitherto attended my endeavors to regulate the Hill Chokeybunday, and the means I have used to bring down the hill chiefs, have succeeded as much beyond my own expectations, as the good effects already experienced from them have equally astonished, and satisfied the minds of the low country inhabitants. The Gauts and Chokeys of the Northern Range of Hills extending from Sacragully to Shahabad are now entirely completed. The Western Range from Shahabad to within two coss of Jumnee is also settled very much to my satisfaction; and I shall complete the remainder of this Range to the southward, at the back of Sultanabad and running down close upon the Beerbhoom Boundary, being by much the most troublesome and uncivilized part of the whole country, as soon as I can, prevail on the hill chiefs and Gautwalls to come in and submit to me.' He mentions his agreement with the plan proposed by the hill chiefs, at a feast given to them by him at Rajmahal in April 1779, viz. of having the whole range of hills under one authority and system. He remarks on this, 'unless the whole range of hills are put under one authority, and the same system of governing them adopted throughout, all the pains I am taking to put them in my own district on a proper footing, (particularly those to the southward of the Eastern and Western Ranges, the one joining with Ammar and the other running close upon the back of Sultanabad,) will be in vain, as I am myself thoroughly convinced that all the inhabitants of the hills may in a short time be induced to submit. As a proof of which, within these nine months, I have had the most flattering experience of the good effects to be expected from the system I have adopted, no less than forty-seven hill chiefs and all their adherents having voluntarily submitted to me and taken an oath of allegiance to Government during that time, and I make no doubt, if the same system continues to be adopted, there is not a chief in that vast extent of country who will not gladly renounce his hitherto precarious and desperate way of life, for the ease and comforts he will enjoy, in being obedient to, and under the protection of a mild and regular Government. They have never yet been fairly put to the test how far their dispositions may incline them to be upon good terms with us. We have till lately considered them as enemies, and they have been treated accordingly. It is but consonant with our own principles of Justice and Humanity, to use every means in our power to avoid a state of warfare; why should they be denied to this

‘unfortunate people? I must do those who have submitted the justice to say—and I call all the inhabitants of this country in general to witness, that the hill people have not, for many years been so quiet~~as~~ they have been for these last eight or nine months, except, as I before mentioned, near the boundary of Ammar.’

In March Mr. Cleveland writes to Warren Hastings that Rupnarain is so on the watch, that there is little chance of taking him; and recommends the withdrawing three companies of sepoy from Chandan to Chukyea, the Jangelterry being perfectly quiet, excepting Sultanabad, where Morar Sing of Jummi was roving about with several armed followers, though he had seven eighths of the revenue of Jummi allotted to him for keeping up chokeys near the hills, for the good government of which he was considered responsible. Mr. Cleveland wishes his Taluk to be resumed, and ‘to re-establish the chokeys in the same manner as has been adopted in the other districts, by loans from Government without interest, the repayment of which will be sufficiently secured on the resumption of the Talook.’

In a letter, dated April 21st 1780, from Sikrignully, Mr. Cleveland states the whole of his plans about the hill people; we give them in extenso as a precious historical document:—

‘Having for some days past been employed in receiving visits from the hill chiefs, in the several Pergunnahs under my authority, and having feasted them and given them the usual presents suitable to their rank, it is with singular pleasure I have the honor to acquaint the Board, that their behaviour, their proposals to me, and their ready compliance with some I made to them in return, have given me the greatest satisfaction, and I flatter myself will equally ensure your approbation.

‘These people in general, are now become so sensible of the advantages to be derived from a firm attachment and submission to Government, that many of them have not scrupled to declare, they would for ever renounce all unlawful practices of robbery, murders, and devastations, if Government would point out and secure to them the means of subsistence, the want of which has frequently obliged them to commit acts, they seem to have some idea, are not only improper but inhuman. This naturally led into a proposal which I have long had in meditation, and is grounded on the following principles. The inhabitants of the hills have in fact no property, a mere subsistence is all they seem to require, to obtain which the means appear as a secondary consideration. The first question that occurs therefore is, whether it is for the interest of Government to supply the means of subsistence for a certain time, or to suffer the inhabitants of the hills to commit devastations on the country, as they have done for many years past. Certainly the former. For although the losses which Government has experienced in its receipts of revenue on this account, have in fact been trifling, owing to the rigid observance of the engagements entered into with the Zemindars and Farmers, yet the sufferings of the low country inhabitants during the hill insurrections are not to be described. To make friends therefore with the hill chiefs is with all due submission an object worthy the attention of Government. In the memory of the

oldest inhabitants they never expressed themselves so earnestly for an accommodation as at present.

'The disbursement, and of course the circulation of money in the hills by Government, appears to me the most likely bait to ensure the attachment of the chiefs, and at the same time nothing will be so conducive to the civilization of the inhabitants as to employ a number of them in our service.

'On these principles I have taken the liberty to make the following proposals, which the hill people have cheerfully agreed to, provided they meet with your approbation. 1st, that each Manjei or chief estimated at about four hundred, shall furnish one or more men as may be required, to be incorporated into corps of archers. 2nd That a chief shall be appointed to every fifty men, and shall be accountable for the good behaviour of their respective divisions in the corps. 3rd That the corps for the present shall act immediately under the orders of the Collector of Boglipoore, and to be employed in his districts only. 4th That the enemies of Government are to be considered as enemies by the hill people, and that it shall be expressly and particularly the duty of the corps to bring all refractory hill chiefs and gautwals to terms, or to expel them from their country, and treat them as enemies wherever they may be found. 5th That each hill chief commanding a division in the corps shall have an allowance of 5 rs., per mensem, the common people 3 rs.; and effectually to secure the Manjeys or Chiefs of the several hills, in a firm attachment to Government, each chief supplying a common man for the corps, shall receive a monthly allowance of 2 rs. subject however to such restrictions as may be thought necessary in case of misbehaviour. 6th That each man in the corps shall have 2 turbans, 2 cummerbunds 2 shirts, 2 pairs of jungheas and a purplet jacket annually.

'The two latter proposals, I have not yet made, having informed the chiefs in general terms only, that if the plan meets with your approbation, they shall have no reason to complain of their allowances.

'I now take the liberty of proposing that one man be immediately entertained from each hill, and a chief appointed by themselves for the present to every fifty men.

The expenses at this rate will be nearly as follows, agreeably to the 5th and 6th articles of my proposal:—

8 Chiefs commanding divisions in the corps, @ 5 Rs.	40
400 Common Hill people, ... .. " 3 "	1,200
400 Chiefs (not in the corps) supplying the above, " 2 "	800
	<hr/>
per mensem	2,040
	12
	<hr/>
	24480
16 Turbans &c. annually, agreeable to the 6th article, }	160
for the Chiefs in the corps, @ 10 Rs. }	
800 ditto for common people, ... .. " 6 "	4800
	<hr/>
Total annual expense	29,440

The cloth for jackets to be supplied from the Company's warehouse in Calcutta.

'I confess gentlemen, the sum of Rupees 29,440 annually, appears to be an enormous disbursement, where no apparent advantage to the Hon'ble Company's Revenue, is likely to be immediately derived from it. The object,

however, will, I flatter myself, appear to you in a more extensive light, and when you consider the comfort you will, in all human probability, administer to a race of people hitherto little better than savages, who will in a course of time, become useful members to the community in the very heart of your dominions, these,—and the confidence which the inhabitants of the adjacent countries will have in their village and hereditary possessions, no longer apprehensive of continued devastation and murders—will I trust be at least sufficient inducement for you to give my proposal a due consideration. And any alterations and exceptions, which in your wisdom you may think fit to make, will, I have not the least doubt, be cheerfully subscribed to by the hill chiefs. The expense however as the inhabitants become civilized, may in a great measure be suspended, as they will no doubt find the same means of supporting themselves, that people of the same class, have done in other countries by emigration or proper attention to the cultivation of their own lands.\*

In order to comply with W. Hastings' order to apprehend Rupnarain Das, the Zemindar of Chanderry, who was attacking the Bhagulpur and Gurruckpur Pergunnahs, Captain Browne gave him three light companies of Sepoys for the purpose. Two years before the Jungleterry was placed under the Collectorate of Bhagulpur, and Mr. Cleveland dwells on the importance of that measure. 'The services for which a military force could have been required here, when the Jungleterry was under Captain Browne, must in a great measure have arisen from disturbances in those Districts, and he was then certainly the best judge, what was necessary to be done to secure the country from degradation. But now the case is very different, the whole is under my authority, and unless I have the immediate knowledge and direction of every military operation as well as civil transaction, I cannot pursue, with any degree of confidence, or spirits, such plans as may to me appear necessary to be adopted, lest I should be counteracted therein by any different process, which in Captain Browne's opinion might be more advisable for the public good.' Rupnarain kept himself closely concealed in Turi Fort Birbhum\* Jungleterry. Cleveland deprecates any general attack on these grounds. 'We have already had sufficient experience of our incapacity to trace these people through their jungles, with any probability of success against their persons. Their country may be destroyed it is true, but whilst we are employed in doing this, and hunting one party from place to place, another is at the same time taking ample revenge by plundering and setting fire to the villages, in the more civilized and cultivated parts of the country. I will use my endeavours to put the country on such a footing as will make it for the advantage of the chiefs

\* It held out against Capt. Brooke in 1773 a long time until cannon were brought against it.

‘and gautwalls to continue obedient, and properly affected to our Government. Orders were sent to the Birbhum Raja about it.’

The Board of Revenue in August 1780, sanctioned allowances of 550 Rs. monthly, as an encouragement for the future good behaviour of the chiefs, they being bound under penalty of a suspension of their allowances, to be accountable for the good order, and management of their respective districts.

In September 1780, Mr. Cleveland writes from Monghyr, ‘the chiefs of the Northern hills agreed, but those to the Southward, whose hills lie contiguous to the Pergunnahs of Ammar and Sultanabad, absolutely refused to accept any allowances, on the terms prescribed, alleging as a reason, that they could not be answerable for the conduct of their neighbours, and as they had often since the commencement of my arrangements, given proofs of their refractory dispositions, without expressing the smallest inclination to surrender themselves to Government, they would now become every day more incensed against my division, and would plunder and destroy the villages in it, with re-doubled fury; their motives for this, I understand would be to compel the chiefs under my authority to renounce their allegiance, which they might easily be induced to do, rather than become accountable for disturbances, which it would not be in my power to assist them in preventing, and as they have an idea that as long as any part of my division remains unsettled, chastisement would be entirely suspended, or equally divided, whereas if otherwise, the whole blame would fall inevitably on them in case of disturbances, they conceive that a persevering refractory conduct, would have the end desired. For these reasons the chiefs in question decline to accept the allowances, unless similar arrangements take place in Ammar and Sultanabad, and the chiefs and deputies there are bound by the same penalties, to be answerable for the good order and management of their respective districts.’

Mr. Cleveland’s remedy was to annex the Pergunnahs of Ammar and Sultanabad to his authority: he adds; ‘I have been further induced to say thus much on the subject, in consequence of the very flattering approbation, my plans, in general, had the honor to meet with from Lieutenant General Sir Eyre Coote, K. B. in several conversations I had with him on his way, both up and down the country. And my proposal for raising a corps of archers, as represented in my address of 21st April, was particularly approved of by him. I have taken the liberty of recalling your attention to this circumstance also, being persuaded of the good effects, it will have in bringing the hill inhabitants to a speedy state of civilization, add to which the

'great service they may be of in Military operations, at a future period.' In February 1781, he writes from Sultanabad of having enlisted the hill men, and 'so well pleased are the Mountaineers in general with the service proffered to them, that my only difficulty now, is to frame excuses for not entertaining more than the prescribed number. 'I shall do myself the honor of laying a full account of my proceedings and negotiations before you, as soon as I can possibly collect them together. In the mean time I have the satisfaction to observe, that my success has exceeded my most sanguine expectations. I flatter myself there will not again be any cause of complaint from the people of the low country, on account of insurrections or depredations of the Mountaineers, as long as a proper attention is paid to the regulations which have been lately adopted.' He wished Beelputtah near Sultanabad, to be annexed.

In December 1782, Mr. Cleveland writes from Bhagulpur to Warren Hastings, that Rupnarain is considerably in arrears of the tribute of his Gatwali of Chandoory held by a Mocurydeen of the Board since 1777. Mr. Cleveland mentions that Rupnarain twice paid his respects to him, when in the district near Chandoory, but was attended by near 500 Matchlock men; and that he had a long conversation with him, at Junudah, in which he assured him his past offences were forgiven, 'having, as I then thought, given him confidence that his former misconduct was forgotten that it might never more be a source of uneasiness to him. It was my wish to have introduced him to the Hon'ble Governor General, on his way down the country, as I had not a doubt but Rupnarain would be flattered, in having the opportunity of paying his respects, to the first member of Government, and that he would certainly be impressed with assurances made to him by such high authority, which it was my intention to have requested of the Governor General, as a confirmation of all I had said. But in this, however, I was disappointed. Rupnarain never came to Boglipore. On my second interview with him, in February last, at Durrampore, I represented the impropriety of his coming to me, with such a train of people, upon which he made an apology, dismissed them all except a few attendants, and afterwards remained in my camp four or five days. But this was in his own district, and I soon found out that his people were within call at the shortest notice. In short whether Rupnarain Das, is under apprehensions of being seized for his former misdeeds, if he comes to Boglipore, or whether he piques himself on never attending at the Sudder Cutcherry of the district, as all other Zemindars and Gautwals do, at least once a year, I cannot pro-



'tend to say, but I trust, gentlemen, at all events, you will see  
 'the necessity of taking some decisive measures, either to bring  
 'him to reason or to disposes him of his Gautwally altoget-  
 'her \* \* \* I have only to add on this subject, that unless  
 'Rupnarain Das is brought to a proper sense of his duty, or made  
 'an example of, the several arrangements which I have hitherto  
 'carried on, with so much success, in the Hills, will be materially  
 'affected. And as I now consider my own credit as much at  
 'stake as the interest of this Government, to accomplish the entire  
 'subjection and civilization of the Jungleterry and Hill in-  
 'habitants in general, I flatter myself you will do me the honor  
 'to repose such confidence in me, as to believe, I neither  
 'recommend nor desire any measures to be adopted, which I  
 'am not fully convinced will accelerate the accomplishment  
 'of the object in view.' Rupnarain in the end complied with  
 Mr. Cleveland's orders.

In February 1783 Mr. Cleveland writes, showing the benefits  
 resulting from employing the Hill rangers, whom he used as the  
 Russians do the Cossacks.—'Some of the Hill Chiefs dependant  
 'on the Sultanabad Zemindar, having lately committed some dis-  
 'turbances in Radshai, and having plundered some villages in that  
 'district, of about 100 head of cattle, I was under the necessity  
 'of detaching four companies, from the corps of Hill Archers  
 'and fifty Militia Sepoys, under the command of Jourah, com-  
 'mandant, about fifteen days ago, to apprehend the Chiefs con-  
 'cerned in this revolt. It is with much satisfaction I have the  
 'honour to inform you that the commandant has laid hold of all  
 'the people, I sent him after, and is now on his return to  
 'Boglipore with the detachment and prisoners, the latter of  
 'whom will be regularly tried, as soon as I can assemble the  
 'Hill people for that purpose.

'Having strong suspicions that the Hill Chiefs have been in-  
 'stigated to this revolt by the Ranny Sirbisserry, the Zemindar  
 'of Sultanabad, I have thought it necessary to bring the Ranny  
 'and her Duan to this place, where they are under restraint.  
 'The result of the trial I shall do myself the honor to inform you  
 'of; and if in the course of it, any thing be proved against the  
 'Ranny, I am of opinion, it will be necessary to inflict some  
 'exemplary punishment upon her, to prevent any thing of the  
 'kind in future. \* \* \* Since the establishment of the corps of  
 'Hill Archers, this is the third time I have had occasion to em-  
 'ploy them against their brethren. And as they have always  
 'succeeded in the business, they have been sent upon, I flatter  
 'myself the Honorable Board will not only be convinced of the  
 'utility, and attachment of the corps, but that they will have full

' confidence in the general system, which I have adopted for the management of this wild and extensive country.

' As Jourah Commandant was the first inhabitant of the hills who entered into the service of Government, and he has uniformly conducted himself with propriety, and very much to my satisfaction, I shall be happy if it meets with the Honorable Board's concurrence to honor him with some reward as a mark of their approbation. In a pecuniary way, an addition of 10 Rs. per mensem to his pay of 20 will make his income handsome, and no doubt be satisfactory to him, as an honorable reward for his services and attachment. I take the liberty of requesting your permission, to give a jaghire of about 400 begas of land to the first son he has born in the Hill Archer's cantonment. I recommend the jaghire being given to his son, because I think it will be the most agreeable way of rewarding him; and there is little doubt of his having one, as he has no less than four wives, two of whom are now at this place pregnant and will both lie in within the next two months.'

In March 1783 in a letter from Bhagulpur Mr. Cleveland gives an account of his plan for trying offences by the hill chiefs themselves.

' I had the honor to inform you in my address of the 14th ultimo, that the detachment which I had sent into the hills against some refractory chiefs was then on its return with several prisoners. I have now to acquaint you that an assembly of the hill chiefs was held here from the 28th ultimo. to the 1st. instant when 17 prisoners were brought before them for trial, viz.

Roopal Alangery of Kiles Hill	.. ..	} Charged with sundry robberies and rebellion, being taken prisoners in arms against the corps of Hill Archers.
Chumral Durway of ditto	.. ..	
Singhri	.. .. of ditto	
Bundral Mangey of Duwory	.. ..	
Durie	.. .. of Daldully	
Dulro	.. .. of ditto	.. ..

Singha Mangey of Buakes	.. ..	} The first a Jemadar and the two latter Sepoys in the corps of Hill Archers, charged with a robbery in Radshai when on leave of absence.
Purty	.. .. of Chowdar	
Mungut	.. .. of ditto	

Lutchoo Mangey of Nidgir	.. ..	} Charged with sundry robberies in Radshai.
Dermal Mangey of Jamney	.. ..	
Buskal Mangey of Dunnear Khord	.. ..	
Janshey	.. .. of Chowdar	
Budderreal	.. .. of Buskia	.. ..

Cawn Mangey	.. .. of Chowdar	.. ..	} Charged with employing his people in sundry robberies, and for several acts of rebellion. •

Rial .. ... of Dowo ... .. } Charged with a robbery in  
 Pundoo ... .. of ditto ... .. } Radshai,

of whom the 8 following were found guilty of the crimes laid to their charge, and were ordered to be hanged, viz. Roopal, Chumral Durway, Bundral, Singha, Dermal, Buskal, Ganshey and Cawn.

'The remainder of the prisoners were ordered to be kept in confinement, until they could give me sufficient security for their future good behaviour.'

'I have accordingly approved the proceedings of the assembly, and except Chumral Durway, whom I have judged it necessary to retain for the present, the prisoners ordered to be hanged were executed this morning in the presence of the corps of Hill Archers, the chiefs and several thousand inhabitants of the hills.'

'I have the pleasure to inform the Honorable Board, that this assembly was held and conducted with uncommon solemnity, and I have the satisfaction to observe throughout the whole of their proceedings that strict justice was done to every prisoner without the smallest partiality, for or against any of them.'

'During the course of the trials several of the prisoners alleged in their defence, that they had been instigated to commit robberies by the Ranny Serbisserry the zemindar of Sultanabad; but the Ranny who was brought before the assembly in a covered Dooly denied the charges, and the prisoners had nothing further to allege against her, than that they *had been informed* by Poosal, Dermal and Tekol, three other Mangeys, that the Ranny had sent them the usual allowance of provisions on such occasion, and orders to plunder by two of her agents, Currem Mundal and Nermah, both inhabitants of Sultanabad; also that Currem Mundal had received from Poosal, twelve buffaloes being the Ranny's share of the plunder.'

The charges at present exhibited against the Ranny are certainly not sufficiently proved to proceed against her. As I have a strong suspicion however that they are founded on truth, I have summoned Currem Mundal, Nermah and the afore-mentioned Mangeys all of whom shall be strictly examined, and I will then do myself the honor to lay before you their several depositions. Lohanny Sing and Jaboo Roy two inhabitants of Cooherpertub in Radshai, have also been accused by some of the prisoners as the instigators to their robberies, and of having received a portion of the plunder, all which I have too much reason to believe, from the general bad character of the men, and from some circumstances of Lohanny Sing's conduct, which I had occasion to represent in July last to the Committee. I have therefore taken upon me to send people to endeavour to apprehend these men, as I am convinced they would pay no attention to a regular summons. I thought it necessary to reprove Chumral Durway as he acknowledges to have had a kind of partnership with Lohanny Sing, in several robberies for many years past, and he promises to prove all he had advanced.

'I flatter myself my proceedings on this occasion will be honored with your approbation.'

In a letter from Rajmahal, March 1783, Mr. Cleveland writes about the implication of Ranny Sarbasarri Sing, in several robberies. He states '1st, That Currem Mundal, with his servant 'Nermah, went into the hills in the month of Sarvon last with a 'large quantity of rice, salt and tobacco which he distributed to 'Poosah and other Mangeys, for cattle they were to plunder from 'the Beerbhoom villages, and to give in exchange, telling them at

the same time that the grain, &c. was the property of the Sircar  
(meaning the Ranny) and that the Mangeys would be exculpat-  
ed should any notice be hereafter taken of their conduct. 2nd  
That Poosah Mangey accordingly plundered the village of Run-  
gong in Beerbhoom, of 30 buffaloes, and about ten days after he  
had received the grain, &c. he delivered the buffaloes to Curreem  
Mundal on his own account, and 3 more into his charge to be  
conveyed to the Ranny, as her share of the plunder. 2nd That  
Poosah Mangey sold the remaining 16 Buffaloes, to different  
Ryots in Sultanabad. 4th That Curreem Mundal conveyed the  
3 Buffaloes aforesaid to the Ranny, that she expressed great dis-  
satisfaction on the occasion, and would not receive them, in con-  
sequence of which they were ordered to be returned; but Poosah  
Mangey denies ever having received them back again. Although  
I cannot ascertain that Ranny did actually return her proportion  
of plunder, yet from the prevarication of the evidence and the  
Ranny's own account of the transaction, I have strong reasons  
for believing she was more deeply concerned in the business than  
really appears. Admitting, however, that the Ranny did not  
receive the cattle, nor was in any respect concerned in Curreem  
Mundal's transactions with the hill people, it was certainly her  
duty as zemindar of the Purgunnah, to have informed me of any  
particular circumstance relative thereto, that Poosah Mangey,  
and Curreem Mundal might have been called to an account for  
their behaviour. The Ranny, however, never once addressed me  
on this subject. I think therefore she is highly culpable, and  
as her conduct renders her on every account a proper object for  
an example, which is become absolutely necessary, to put a stop  
to the connivance hitherto carried on by the zemindars of one  
district, at the depredation of the hill people on the inhabitants  
of their neighbours, I take the liberty of submitting to the  
Board's consideration the good effects that may be expected from  
dispossessing the Ranny of her zemindary, a measure I am in-  
duced to recommend in the strongest manner, from a conviction  
of the necessity of it. As the Ranny has heirs or near relations,  
the person whom the Honorable Board may think proper to ap-  
point her successor, should be obliged to give her such a main-  
tenance as may be judged proper during her life time. And in  
order to destroy effectually any influence the Ranny might retain  
in the Purgunnah or hills notwithstanding her dispossession, I  
recommend that she should not be allowed to reside in or near  
Sultanabad on any account whatever. Curreem Mundal and  
Nermah I have delivered over for trial to the Phousdary court.  
He makes one very important remark showing that the hill  
people were tempted often to plunder the low country people,  
that until some of the inhabitants of the low country, who

'carry on the illicit and destructive traffic with the hill people, are made severe examples of, it will avail little to punish the hill people for plundering, as they are generally employed in this service by the Gautwalls and Zemindary officers, who frighten them into a compliance by threatening to expose the whole of their former conduct. In short, Gentlemen, I am sorry to say, that it has hitherto been almost a general custom with the low country inhabitants of Sultanabad, Radsalfai and Beerbhoom to employ the hill people in plundering each other's villages. And almost every man has been so deeply concerned, that even the sufferers have been afraid to complain, lest their iniquitous practices should be brought to light.' In July of the same year Mr. Cleveland represents, that he could do nothing with Rupnarain, who aimed at independence. Mr. Cleveland writes in the last of his letters that we have, July 29, 1783, that he must be removed from the country, as his father Jugarnath had required 2,000 troops to be brought against him.

Such is all we have extant of the career of a man, who, in epic days, would have been exalted from a hero to an object of worship.

We now bring our article to a close, and trust that we have shewn that not a little interest belongs to Rajmahal and its historical associations.\* We give as a specimen of the Rajmahal hill language, a translation of the Lord's Prayer.

O mergh no doku Aba ninki namith pak menan deth ninki rajeth barindeth ninki mareth merghno menith achovehi qeylno hon menandeth inti lapen eme qata auro jesa em em bahano elurin māp nanim áchovehi nin enki elen māp nana auro emen takyoma pare dagráhante bachatra indrain ki ninki rajeth bareth auro simajarethjugek behith. Amin.

\* With reference to several remarks made in the above article as to the conduct of Europeans towards the natives, we quote with pleasure a few lines from the 'Friend of India,' May 2nd 1861, (page 483).

'The rail runs for nearly 200 miles through the Sonthal Pergunnas, Bhagul-pore and Monghyr, and the number of Europeans employed on that length has varied from one to three hundred; but, during the past five years, not more than four serious cases occurred, between Christian officers of the rail on one side and natives, in or out of their employ, on the other. One of these cases was a homicide in which the offender was acquitted in the Supreme Court; and two were cases of assault, both committed by the same individual, not an Englishman. Mr. Yule says—"I never heard of a charge against the higher officers of the rail, and it is wonderful, I think, that there was so few against those in subordinate positions, who were often fresh from home and located far from control. I exclude petty cases of all kinds, and maltreatment of native by native; but even these were anything but numerous. As to money matters the natives seldom complained, and seldom indeed had cause to do so. If they were not treated with justice and kindness, do you think they would swarm to the rail as they do?" And yet, with these facts before them, there is a large class of officials and missionaries who would exclude the educated European from India lest the native be oppressed.'

ED. CAL. REV.

*Traffic of the three Railways compared.*

Year ending 30th June.	No. of Miles.	Railway.	No. of PASSENGERS.			Tonnage of Goods.	Receipts from Passengers.	Receipts from Goods.	Total Receipts.	Working Ex- penses.	Net Profits.*	
			1st Class.	2nd Class.	3rd Class.							Total.
1853-54	36	Great Indian Peninsula, ...	11,780	62,217	461,198	535,185	23	13,647	2	604	14,351	7,122
1854-55	156	{ East Indian, ..... 121 } { Great Indian Peninsula ... 35 }	15,476	72,708	777,330	851,514	33,603	36,000	10,015	46,024	31,876	14,148
1855-56	209	{ East Indian ..... 121 } { Great Indian Peninsula, ... 68 }	16,918	86,113	1,242,801	1,345,872	133,107	68,504	47,118	105,622	45,795	59,827
1856-57	274	{ East Indian, ..... 121 } { Great Indian Peninsula, ... 88 } { Madras, ..... 65 }	23,001	91,088	1,710,747	1,834,836	250,792	92,723	105,154	197,877	81,596	116,281
1857-58	332	{ East Indian, ..... 121 } { Great Indian Peninsula, ... 130 } { Madras, ..... 81 }	27,400	90,918	2,012,491	2,130,809	329,063	111,131	150,615	261,746	111,444	150,302
1858-59†	422	{ East Indian, ..... 142 } { Great Indian Peninsula, ... 104 } { Madras, ..... 96 }	28,973	1,76,826	2,516,583	2,792,388	195,431	157,431	224,904	402,025	187,065	314,960

\* It is possible that these amounts may be slightly altered hereafter, as there are certain charges about which there is some doubt as to whether they should be applied to capital or revenue.

† A further section of 35 miles was opened on the Great Indian Peninsula line, just before the end of the year.

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*The following is the Comparative cost of Railways*

NAMES OF STATE.	Year.	Length of Line open.	TOTAL CAPITAL EXPENDED.		RECEIPTS, TRAFFIC.		
				Per Mile of Line open.		Per Mile of Line open.	
		Mile.	£	£	£	£	
Austria, .....	1856	1,586	25,876,786	16,378	3,461,322	2,100	
Belgium, .....	1856	445	7,294,783	16,391	980,327	2,158	
France, .....	1854	2,913	74,772,994	25,668	7,882,000	2,700	
Germany, exclusive of Austria and Prussia,	1855	2,226	29,185,250	13,111	4,042,370	1,816	
Great Britain. {	England & Wales, ...	1857	6,700	203,145,238	39,275	20,195,400	2,161
	Scotland, ...	1857	1,213	30,084,288	28,225	2,486,890	2,107
	Ireland, ...	1857	1,070	16,760,300	15,664	1,130,296	1,001
Holland, .....	1857	163	3,248,845	19,931	278,610	1,709	
Prussia, .....	1856	2,503	35,295,043	14,101	4,537,602	1,877	
Sardinia, .....	1855	231	... ..	.....	338,724	1,477	
Spain, .....	1855	130	... ..	.....	137,028	924	
Switzerland, ....	1856	203	4,037,427	19,888	129,271	636	
Tuscany, .....	1856	132	2,053,493	15,556	127,536	966	
United States of America, .....	1855	17,481	144,646,953	8,275	18,780,848	1,234	
East Indian, .....	1858-59	142	1,716,000	12,064	205,587	1,447	
Great Indian Peninsula, .....	1858-59	194	1,690,033	8,758	148,406	764	
Madras, .....	1858-59	90	672,000	7,000	47,942	499	

throughout the world, along with the Indian ones.

WORKING EXPENDITURE.		NET RECEIPTS.		Proportion per cent. of working expenses to receipts.	Proportion per cent. which net Receipts bear to the capital expended.
	Per Mile of Line open.		Per Mile of Line open.		
£	£	£	£		
1,824,120	1,150	1,637,202	1,040	52.70	6.32
500,600	1,200	300,727	808	58.16	5.48
3,469,237	1,191	4,413,439	1,515	44.01	0.58
1,442,928	897	2,599,442	919	40.38	5.70
9,707,498	1,564	10,487,902	1,597	48.00	4.06
1,063,970	941	1,392,920	1,166	44.00	4.13
438,771	465	700,525	926	38.00	3.09
169,837	1,042	108,782	967	60.96	3.35
2,341,005	968	2,196,597	909	51.59	6.22
174,050	744	164,674	703	51.38	.....
67,870	522	69,149	402	50.48	.....
69,273	341	59,998	295	54.28	1.48
58,901	446	68,635	520	46.19	3.34
10,079,149	666	8,701,700	568	54.00	6.70
96,184	677	109,403	770	45.04	7.410
65,461	337	83,005	427	44.1	5.140
25,390	264	22,552	234	52.9	2.18



ART. VI.—*Scheme for the Amalgamation of the Indian and British Armies, Home News, January 26th, 1861.*

A GREAT event in the history of our country is, while we write, on the eve of accomplishment. Whilst these lines flow from our pen, the scheme resolved on, after so many months of discussion and consideration, by the collective wisdom of three great offices of state, the Horse Guards, the India Office and the Executive Government of India, is receiving at the hands of a specially appointed Commission, that final manipulation which is to fit it for its appearance in the pages of the Calcutta Gazette. To give due solemnity to an occasion big with the fate of many thousands of British Officers, and which is to witness the obsequies of an Army, and its resurrection under a totally new organization, the Commander-in-chief has been summoned from Umballa, and is now present to render the Governor General the invaluable aid of his experience and judgment. A few days more, and the hopes and fears of four long years will be cleared up!

In sober earnest it is a great event we are witnessing, and a spectacle at once grand and touching! We are witnessing the extinction of an army which has existed for more than one hundred years, amidst all the vicissitudes attending the acquisition of a mighty Empire;—which has emblazoned upon its banners the emblems of a hundred battles, and the officers of which have, by their ability, no less in the cabinet than in the field, contributed, in an eminent degree, to build up the reputation which England enjoys in the public opinion of the world. But though in some sense the process now awaiting the Indian Army is that of extinction, the word hardly conveys a true appreciation of the reality. It would be perhaps nearer the mark to compare the impending dissolution of the Indian Army with the case of the titled heiress whose wealth and titles merge, and are lost sight of, in the higher honour, and greater wealth of him to whom she gives her hand;—and just as the offspring of such a pair may be expected to inherit the characteristic virtues of both father and mother, so may we surely anticipate, that the army, which, in the next generation, will proceed from the British and Indian Armies, now to be united, will be worthy of the joint parentage from which it sprung!

It is impossible, however, to mark without deep concern, the attitude in which a great portion of the Indian army is awaiting the official declaration of the scheme, by which their future prospects are to be decided. Whilst few are looking with hope and exultation to the enlarged field of action they see before

them, too many, it may be feared, are regarding the coming arrangements with preconceived suspicion and determined hostility. *Timeo Danaos et dona ferentes*, is the motto of these last. They have adopted the idea that they have nothing but coldness and injustice to look for from the detested Horse Guards, and their attitude is that of men, who, come what will, are determined to regard themselves as injured and trampled upon. This is doubtless very deplorable, and every effort of those who have the remotest chance of influencing public opinion, should be directed to the object of placing the impending measure in a just and reasonable light, before the eyes of those whom it is to affect.

Whilst amalgamation, or the separate existence of the two services, was still a debated and open question, it was right that both sides should be heard, and natural, that where personal interests and feelings were concerned, the debate should be carried on with some warmth of temper and even acrimony. But for months the question has been decided, no argument and no cavilling can now affect it. The frigate, so to say, has had to succumb to the superior weight of metal of the line of battle ship. It behoves the crew of the frigate to haul down their colours with a good grace, and instead of meeting their captors with scowling and suspicious glances, to receive them with the frankness which belongs to brave men of the same profession. Surely this is the conduct which good sense prescribes to the officers of the Indian Army, in common with all who suffer under disappointed hopes or defeat. The situation as we view it, and dropping all metaphor, is this. Amalgamation, months ago resolved on, is now on the eve of accomplishment. A scheme for its achievement, approved and ratified by the Sovereign herself, only awaits a few necessary local arrangements before it is brought into operation. No hard words, no black looks, can alter what is to all intents and purposes, an accomplished fact. But the Indian officers have it still in their power to influence very materially, the footing upon which they shall hereafter stand with their future comrades, both of high and low degree. According to the temper in which they accept the inevitable changes will they receive the hearty sympathy and good will of those into whose ranks they are to pass, or an unfriendly and grudging welcome. At present all is smooth and smiling so far as the Duke of Cambridge, and the Army over which he presides, are concerned. We can confidently assure our readers that there is every inclination on the part of the Commander-in-Chief and those he influences, to render justice to the Indian officers, and to welcome them with a soldierly and high minded frankness. Ask those who were present at the Duke of Cambridge's last

levy two months ago, what was his reception of the Indian officers who had the good taste and correct feeling to be present. The very appointment of Lieut. Colonel Norman to be Assistant Military Secretary at the Horse Guards, is an earnest of the Duke of Cambridge's desire to stand on good terms with the officers of the Indian Service, and to act tenderly in regard to their interests. Could we ask a more acceptable appointment than Colonel Norman's to have been made? Had the Army been desired to elect its own representative at the Horse Guards, upon whom would its choice have fallen so unanimously as on Col. Norman? We repeat that Colonel Norman's appointment is at once a compliment to the Indian Service, and a guarantee that their claims will always have kindly consideration. Let those, who are still incredulous of the Duke's disposition toward the Indian officers, turn to the order lately issued by his desire, on the occasion of a number of Indian Officers being attached to do duty with the Royal Artillery at Woolwich. Surely it is the duty of officers, no less than their interest, to consider carefully the possible result to themselves and their comrades, in case, by a surly or hostile reception of an inevitable measure, they incur the risk of chilling and alienating feelings, which they may be assured are, at present, of the kindest and most conciliatory nature.

We write thus, well knowing that any scheme, which it is within the bounds of reasonable expectation, should be offered for the amalgamation of the two Armies, must press hardly on some one or other of the numerous interests involved. How indeed could it be otherwise? Nothing short of the *locus quo ante* would satisfy many, or, indeed, would suffice to place them in as good a position, as regards their future prospects, as they enjoyed before the events of 1857. Shall the new measure therefore be resented because it contains no proviso for reconstituting every mutinied regiment in Bengal and Bombay, and every office and command which the irresistible torrent of the mutiny has swept away? Surely to do so would be utterly unreasonable. Numerous cases of individual hardship must inevitably arise. Those whom they may affect must reconcile themselves to them, by the same reflection which we bring to bear when a drought ruins our crops, or an inundation sweeps away our harvest, or a stroke of lightning sets fire to our house or our hay-ricks. All that can be reasonably expected is, that there shall be no wanton disregard of the interests of the Indian Officers, and that wherever the blow is inevitable, it shall be dealt as gently as possible, and shall be accompanied by every alleviation that circumstances will admit of. But whatever happens we entreat officers to eschew the prejudice which ascribes

beforehand every sort of chicanery and favouritism to the Horse Guards, as a matter of course, and never gives that much abused institution the credit of fair and honest dealing. Was the patronage of the Indian Army administered under the old *regime* so as to give universal satisfaction and contentment? Yet to listen to the language of those hostile to the arrangements which bring them under the power of the Horse Guards, it would be supposed that favouritism and jobbery were the exclusive attributes of the British Commander-in-chief-ship.

Enough is generally known of the forthcoming scheme of amalgamation to justify us in noticing, in some detail, a few of its more salient points, and in endeavouring to form an opinion, as to the bearing the scheme is calculated to have upon the interests at stake. We would ask those who may be willing to follow us in our consideration of the measure, to do so in a spirit, as far as possible, removed from querulousness and prejudice; and to judge of it with a due remembrance of the surpassing difficulties with which its framers have had to contend, and of the imperative necessity which has hampered them, of hitting off the just medium between liberality to individuals, and due regard to the embarrassed state of the public finances.

First let us see how the proposed scheme is likely to affect the European non-commissioned officers, and the rank and file of the Army.

\*The men of the Artillery, of the Cavalry, and of the existing Infantry regiments of all three Presidencies will be called upon to volunteer for the corresponding branches of the British Army *with a bounty*. It may be reasonably expected that the great majority of the soldiery will accept such an offer without hesitation, and that the non-contents will be few in number. Those who accept, will of course then become liable for service out of India; but it is understood, we believe, that, for the present at least, the new brigades and regiments will continue to be employed exclusively in India. The Artillery volunteers will be formed into additional brigades of Royal Artillery, fourteen in number, according to some accounts; namely, seven for Bengal, four for Madras and three for Bombay. The Cavalry volunteers will receive numbers in continuation of the existing Cavalry regiments, and the Infantry regiments will (if the number of men of each regiment volunteering be sufficiently considerable,) take their places in continuation of the Infantry of the Line, under the designation of the 101st or Royal Bengal Fusiliers, the 102nd, or Royal Madras Fusiliers, the 103rd or Royal Bombay Fusiliers, and so on. Each regiment

holding at present any distinctive title, as Fusiliers, or Light Infantry, will retain that designation in addition to the number which may fall to it. The men who decline to volunteer will be formed into local battalions of Artillery and Infantry, probably, for each Presidency, and will serve on in India, with all their present privileges and advantages, until the last man dies, or completes his contracted period of service. When it is added, that under the proposed arrangements for the disposal of the officers of the European troops, (to which we shall come presently,) every regiment will retain the greater portion of its existing officers, enough has been said to prove, we think, that the proposed arrangements contain nothing which should render them unacceptable or distasteful to the European soldiery. There may be secret springs and influences at work in the minds of the soldiers, which it is impossible to fathom beforehand, or anticipate, and which may induce them to look coldly on a scheme which, to the uninitiated spectator appears all that is fair and advantageous. All we can say is that we, as dispassionate lookers on, fail to discover any single point, in which the soldiers can consider themselves aggrieved or their interests tampered with, in the projected amalgamation.

Pass we now to those points of the scheme which affect the officers.

Two great features in the scheme as it affects the officers must be first prominently stated. One of these is, that whatever Native troops are hereafter kept up will be placed upon the footing of what are called in India, 'Irregulars,' that is to say, the Native Army will revert to the organization which it enjoyed in the earlier days of its existence, and under which all its greatest achievements were wrought; instead of feebly imitating the organization which long experience has prescribed as best suited for European troops, and which led the Court of Directors, more than sixty years ago, to attach, nominally, some thirty English officers to a native regiment, but in reality about half that number, and then to nullify the authority of that half with folios of rules and regulations. It has been determined to revert to the system which invests with nearly absolute authority a single selected officer, and makes him responsible, with the assistance of three or four subordinates only, for the discipline and efficiency of an entire regiment. It would be foreign to the object we now have in view to discuss the long litigated question of 'Regulars *versus* Irregulars.' It is enough that we note at present the fact, that the Irregulars have carried the day in the Amalgamation scheme, and that our Native Army is to consist henceforth solely of troops organized on that system.

The second point which we desire to note prominently, previous to considering that portion of the scheme which affects the European officers, is, that the existing Regimental and General lists of officers are to be carefully preserved, and kept up for reference and guidance, though the troops themselves have either been swept away, as have been the mutinied regiments, or embodied in a new shape, as is to be the European portion of the army. Thus the claims of all officers, not otherwise provided for under the new regulations, (namely, by transfer to the staff corps, or otherwise as the case may be,) to promotion to the superior grades, will still admit of easy regulation, and the great object held in view of not prejudicing the existing rights of the officers will be carefully ensured. The attention of the reader having been directed to these two preliminary features of the scheme, the way is open to an easier understanding of the measure, in its effects upon the prospects of the European officers of the army.

The most salient feature in the scheme, as it affects the officers, is of course the proposed 'Staff Corps.' It is understood that every officer (including officers of the Royal Army,) now employed *otherwise than regimentally*, will have the option of enrolling himself in the Staff Corps, without examination or probation of any kind. Twelve years' service in the Army, of which four in a staff situation, will entitle officers electing for the Staff Corps now, or entering it hereafter, to receive the substantive rank of Captain. Twenty years' service, of which six in a staff situation, will similarly entitle to the substantive rank of Major: twenty-six years', of which eight in a staff situation, to that of Lieutenant Colonel. But as these periods of service would entitle some officers to receive *two* steps of promotion on entering the Staff Corps, the scheme contains a proviso, that in such cases the second step shall not be attained for two years after the first. An illustration will serve to elucidate the working of the latter arrangement. A, an Officer electing for the Staff Corps, is Captain (regimental) of twenty six years' service, of which (say) eight on the staff. He will enter the Staff Corps as Major, and will not obtain the further grade of Lieutenant Colonel until two years later. We have heard, on good authority, that this proviso was inserted at the special investigation of the India Council, in opposition to the wish of the Duke of Cambridge, who would have given the officer, situated as in the above example, the immediate benefit of the double step.

Officers extra-regimentally employed at the promulgation of the scheme, will not however be compelled to enrol themselves in the Staff Corps. They will have the option of

taking their chance of promotion in their present regiments, in case that course should appear to them more advantageous than accepting the substantive promotion offered in the Staff Corps. In this case, they will not forfeit their appointments, but may retain them irrespectively, in most cases, of the regimental rank they may attain to. For example, suppose A, a Captain of fifteen years' service, on staff employ, is second Captain in his regiment, and has reason to believe, that the senior Captain and Major are only waiting until they have served the requisite number of years, to retire on their pension:—if A, enters the Staff Corps, he knows that he has five years to serve before he will be entitled to the substantive rank of Major, whereas, by refusing the Staff Corps, and retaining the advantages of regimental promotion, he may be a Major (say) in one year. Obviously it is for A's interest, as far as promotion is concerned, to refuse the Staff Corps, though against speedier promotion he has to place the risk of foregoing departmental promotion on the staff, as in future no appointments will be given except to officers of the Staff Corps.

Such, is the outline of the scheme proposed for the first institution of the Staff Corps. It would be premature to criticize very narrowly a project, the more minute details of which are still imperfectly known to us:—but it is impossible not to be struck with the enormous extension given by the proposed plan to the received and ordinary idea of an Army Staff Corps. A more heterogeneous mass of talent and attainments than its ranks will contain, it is impossible to conceive! The most strictly military, and the most purely civil appointments are to be alike filled by officers drawn from the Staff Corps. Whatever the exigency of the state, it will be supplied without difficulty out of the ranks of this most convenient body. But the doubt arises, whether a body so constituted, one half of the members of which will be permanently employed on duties of the most purely civil nature, can ever hope to retain its military character, or to preserve its status as an army Staff Corps. It seems anomalous that service in a purely civil capacity should be rewarded with increased *military* rank in exactly the same ratio as service of a strictly military character:—that, by different routes, the Deputy Commissioner, and the Commandant of Irregular Cavalry for instance, should both be pressing on to the common goal of high military rank. We submit, that, if the scheme contains no such arrangement already, it will be found necessary hereafter to divide the Staff Corps into a civil and a military branch, and to regulate the promotion of the former by

different rules to those which determine the promotion of the latter.

The Staff Corps will be recruited, it is understood, for the present, partly from the British regiments serving in India, and partly from those Indian officers, who are at the present moment unemployed. Justice, no less than expediency, will demand, that a large share of the early patronage arising from the Staff Corps, should be appropriated to the latter class of officers; who, in the mean time, will, however unwillingly and to their own disadvantage, be drawing their full pay without contributing to the service of the State. As the unemployed Indian officers become, in process of time, absorbed, the Staff Corps will depend entirely upon the British regiments for its supply of recruits. The latter will be chosen, it need not be doubted, by the process of competitive examination; and the first and preliminary qualification will be a certain number of years' service (probably three) in India. Should the candidate succeed in passing the examination, fixed for that branch of the Staff Corps to which he aspires, he will be admitted, for a given period, on probation only. The term of probation satisfactorily passed, he will be struck off the rolls of his regiment and his place filled up. The patronage which will thus be created in the British Army will represent, to a certain extent, the patronage enjoyed by the late Court of Directors, and their successors, the Indian Council.

Such being the scheme for the first creation, and future maintenance of the Staff Corps, we are in a position to form a judgment, as to the effect which the amalgamation is likely to have upon the interests of India, and to decide, whether the mournful anticipations of those of us, who saw in the proposed extinction of the local Army, the ruin of our Indian Empire, are likely to be realized. The great argument, it will be recollected, of those who were opposed to amalgamation, was that the supply of officers, permanently connected with, and interested in the country, would be cut off;—that instead of being able to draw upon an inexhaustible mine of civil and military talent, habituated to the country, skilled in its language, versed in the peculiarities of native habit and ways of thought, and kindly disposed to the Indian races, we should have to fall back upon the unsympathizing element of the young officers of British Line regiments, and to look for our future Clives and Lawrences amongst the rollicking revellers of the mess table! But how much of their force do all these objections, so plausible at the time, lose,—nay, how absolutely puerile do they seem, when viewed by the light of the great and carefully constructed scheme



before us! How theoretical and fanciful objections and difficulties vanish, when opposed by the quiet strength of a practical measure? The Staff Corps, as we have seen, commences by enrolling in its ranks every officer at present extra-regimentally employed. To replace the casualties in the new Corps which the efflux of time will cause, we have, first, a very large reserve. (alas, that it must be so!) of officers of the Indian service, who, in the first instance, must remain unemployed;—and, when these have been exhausted, we shall have all the youth and talent of the British Army upon which to draw, to replace casualties, as one by one, and not, be it remembered, by sudden and wholesale cataclysms, they take place. We must have formed a very undue estimate of the advantages offered by employment in the Staff Corps under the new scheme, if they are not great enough to attract an adequate number of competent young British officers to recruit its ranks. But if it be indeed the case that we are mistaken, we feel confident that the career offered by the Staff Corps will attract into the Army a *new class* of officers, who will thankfully avail themselves of the advantages the Staff Corps offers, and be no more deterred by the drawbacks of prolonged banishment from England, and association with the uncongenial races of India, than the class of officers whose successors they will be. Therefore it appears to us, that the anticipated evils of amalgamation must, at all events, be relegated to the next generation, and that, if need be, there will be plenty of time before that, to create a new class of officers, supposing—what is contrary, however, to all present experience,—the existing class of officers to be found in the British regiments should prove unwilling or unfit to enter the ranks of an Indian Staff Corps.

But we must hasten on to notice other salient features of the scheme.

It is known that the officers of the European Artillery, Cavalry, and Infantry will receive the option of continuing to serve in their present regiments under the altered condition and designations of the latter, (in which case, of course, they will be eventually liable to serve elsewhere than in India,) or of being transferred to the local battalions of non-contents. The places of any officers of the European forces preferring the latter, as well as of those who may decide to enter the Staff Corps, will be filled up, it is understood, by volunteers from the unemployed Native Infantry Officers. Promotions in the new brigades of Royal Artillery, as well as in the Cavalry and in the new 101st, 102nd, &c. Foot, will continue to be regulated by seniority. Thus the experiment of seniority promotion will have a fair trial in

the Cavalry and Infantry of the British Army, and the result may in the next generation, for anything we can tell, lead to vast modifications in the existing system of purchase, perhaps even to its entire abandonment.

The operation of the amalgamation scheme has yet to be noticed in its bearing on the Engineer corps, and on the Medical Service. Both, it is understood, will be amalgamated with the corresponding branches of the British Army. Both will receive the option of taking their chance of general service elsewhere than in India, or of continuing to serve in India only, with all their existing advantages guaranteed to them. The officers of all arms, who may volunteer for general service, will reckon, as a matter of course, their previous service towards retiring pension; but, henceforth, two years of service out of India will count, it is said, as one only of Indian Service. This is a point upon which we would be understood as reserving any opinion for the present. As we have before had occasion to observe, it is premature to criticize any but the broader features of the scheme, whilst our information as to details is necessarily defective.

Thus far even those most hostile to amalgamation and pre-determined to view the scheme unfavourably, must admit that its terms are favourable and liberal. But it cannot be disguised that after the demands of the Staff Corps, and of the European Troops have been supplied, a very large body of officers will remain, whose prospects, as we understand them, are the reverse of brilliant. The officers for whom employment can be found neither in the Staff Corps, nor with the European battalions will be held available for general duty, whenever and wherever required, with the hope perhaps of being able eventually to obtain entrance into the Staff Corps, under the competitive examination, by which admissions into that Corps are in future to be regulated. Amongst these Officers' will be found, in Bengal particularly, many Lieutenant Colonels, who, in the halcyon days of the native army, could calculate almost with certainty on exercising the command of a Native regiment, with the comfortable addition to the pay of their rank which such employment brought. The irresistible torrent of the mutiny has swept away all but an insignificant number of regiments of the Bengal Native Infantry, and their place has been taken by newly-raised irregular regiments to the command of which regimental Lieutenant Colonels are, by the rules of the service, ineligible. Nor would it indeed be either just or politic to displace in their favour, the generally able class of young men, who have raised and hitherto commanded the new

levies, and to supplant the latter by Lieutenant Colonels advanced in life, to whom the Irregular System is equally strange and distasteful. No one, who has the interests of the service at heart, could desire to see the Lieutenant Colonel of the old Native Infantry school, accustomed to rely on the constant support of his regimental Staff, to see nothing but neatly fitting red coats and forage caps, and to regulate discipline by a mild application of the Articles of War, and standing orders for Infantry, transplanted to the uncongenial soil of a regiment of mixed Sikhs and Affghans, with uncouth tongue, non-regulation beards, and unsightly mud-coloured uniform, located—to complete his discomfort,—in one of the houseless camps of the Derajāt Frontier! The subject is not one for jesting, yet we may be pardoned for saying, that the surprize of both officer and men, if they found themselves thus suddenly brought into the relation of commander and commanded, would, probably, be about equally balanced. In the Madras and Bombay Armies and indeed in the few remaining regular regiments of Bengal, the hardship inflicted upon the older officers by amalgamation, and the proposed conversion of regular into irregular regiments, will be less. The Lieutenant Colonels now commanding regular regiments will probably retain their position, and be trusted to superintend the conversion of their regiments into irregulars. The conversion will doubtless proceed very gradually, and will perhaps hardly be fully accomplished for eight or ten years to come.

We have naturally considered the case of the elders first, but the case of the unemployed juniors is not a whit less grievous. It may be said, with a certain amount of justice, in the case of the juniors of the Bengal Army, that in the cornucopia of appointments, which has been emptied over their heads since the Mutiny, it is next to impossible that any really deserving men should have failed to secure some sort or other of extra-regimental employment;—that the merit must be hidden indeed which has not had the opportunity of coming to the surface, during the stirring events of the last four years. But it must not be forgotten, that wounds, sickness, and other causes have operated in many instances, during the period in question, to withdraw most deserving men from the field of competition. It would be a reproach, indeed, to those who administer the patronage of the Army and of the country, if, when the new arrangements come into force, some hero of the ridge at Delhi, or of the feeble ramparts of Lucknow, should find himself consigned to the oblivion of an unemployed list, because wounds or sickness may have withdrawn him temporarily from the competitive struggle.

We are confident however that the Governor General and the Commander-in-Chief, will avoid all reasonable ground of cavil at the forthcoming scheme of amalgamation, and the obloquy of permitting officers with such unquestionable claims to consideration, to vegetate unemployed under the cold shade of neglect.

It is difficult to estimate with anything like exactitude, the probable number of officers for whom employment will not be found under the new scheme. It may be feared, however, that it will be very considerable. When every attempt to provide employment in the ordinary way for all unemployed officers possessed of the requisite capacity has failed, it may well receive the consideration of the government, whether it would not be both fairer to individuals, and more advantageous to the public to purchase out (either by increased pensionary inducement, or by liberal offers of land in Australia or India,) those who will otherwise remain probably for years, a heavy incubus upon the State. We would advocate the early employment, if necessary, of an able actuary to determine this question. What a sum might have been saved to the State, if the purchase out of officers willing to resign their claims on the service, had commenced three years ago!

We must now close this necessarily very imperfect notice of the grand scheme about to be promulgated. With certain drawbacks, which were doubtless inevitable, its provisions appear to us decidedly, as a whole, beneficial to the service, and conceived in a liberal and kindly spirit. Unquestionably the position of the unemployed class will be very grievous, but the scheme may contain details for ameliorating it which are not yet made public. It must be borne in mind too, that this class is not created by the amalgamation, but that it is already in existence. Indeed a striking peculiarity of the whole scheme is, how very slight is the measure of change which it will introduce. What changes it does involve are often little more than nominal, and affect designation rather than actual position and prospects. But even a change of designation is in certain cases worth something. However much some officers may affect to despise a name, few, we believe, would desire to revert to the title of 'the Honourable Company's Army.' The name of 'Native Infantry' stinks in the nostrils of most of us. There are not many officers, we take it, in Bengal at least, who desire to perpetuate, even in name, their connection with that once highly esteemed branch of the Army. The days when such a connection was deemed honourable, and a source of just pride, passed away when 'Native Infantry' became almost a synonym for mutineers. Such

feelings of course do not extend to those who claim to belong to the time-honoured corps of Indian Artillery, or to the Indian European regiments;—yet even the officers of those arms will not, if we judge them rightly, despise the designations they are hereafter destined to bear, or deem it otherwise than a gratifying change to add to the title which is still to identify them with a past order of things, the distinction of 'Royal.'

So much as a mere matter of sentiment. • But we believe that with these nominal advantages, more solid ones are also mixed up. The impending affiliation of the Indian Artillery and Engineer corps on the corresponding branches of the Royal service, seems likely to bring with it a very considerable amount of promotion, to the higher ranks at least of the former services. The same result, we anticipate, will attend the new organization of the European Infantry. Then as to the Staff Corps:—to be assured of the substantive rank of Captain, Major, and Lieutenant-Colonel after twelve, twenty and twenty-six years' service respectively, even though the pay of the respective grades be, as is asserted, somewhat reduced, is an unquestionable improvement upon the glorious uncertainty which attended promotion to those ranks under the former order of things. The promotion offered may not be brilliant, but it will be sufficient to attract into the service that class of men, who enter the army for a career; that class, in fact, of which it was the boast of the Indian Army to be composed. The proposed Indian Staff corps is destined, we firmly believe, to be hereafter the grandest body of officers to be found in the world. In its first institution it will hardly deserve the name of a *corps d'élite*, because admission into its ranks will have been the result in many instances of mere interest,—in others of chance and a favourable concatenation of circumstances,—in a few only of legitimate selection and proved ability. But every year the composition of its ranks should improve, as entrance becomes the reward of high attainments and peculiar capacity, and it must eventually take the place in public estimation which it will deserve, as being composed of the most eminent men which the military profession, under the most favourable conditions, can produce. There is infinite grandeur in the idea of a corps which shall contribute from its ranks to the public service every sort and description of talent for which a demand may arise;—which will manufacture and hold available for use, the proconsul who is to rule a province, the general who is to lead an army, the man of science whose discoveries may influence the future of the entire empire.

Since the above was written, the scheme has appeared. It will be seen that our anticipations have in almost every instance

proved correct, and that the great measure is even more complete and more considerate towards unemployed officers than we had dared to hope. We notice too the publication of a retiring scheme drawn up by the Commission, which, if sanctioned, even partially, by the Home Government, cannot fail to lighten the difficulties of the Executive, to place a charmed weapon in the hands of the military reformer, and to commend this word amalgamation even to those to whom it has hitherto been most repugnant.

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ART. VII.—*Eastern Bengal and its Railways.*

**E**ASTERN BENGAL extends from the slopes of the Himalaya mountains below Darjeeling in the North, to the head of the Bay of Bengal in the South, or roughly is enclosed within the 22nd and 27th parallels of North latitude.

The Eastern boundary, commencing at Chittagong, becomes interlaced with the hills which limit the empire of Burmah, and stretches out through the extensive valleys of Upper and Lower Assam, as far as the gorge in the Himalaya mountains, through which the great river Burhampooter descends from Thibet.

The Western limit follows the course of the rivers Hooghly and Bhagiruttee, and passes through Calcutta, Moorshedabad, Dinagepore up to Darjeeling.

Its length from North to South is about 350 miles; its breadth 300 miles. The total area of this country is about 100,000 square miles. Comparing this extent of country with the British Isles, which contain 120,000 square miles, it will be seen that Eastern Bengal is a country of no mean proportions.

The population, estimated at fifteen millions, may be looked upon as a simple, rural population, covering the cultivated area of the country very evenly, and but moderately condensed in towns, save in the metropolis of the Bengal Presidency. Per square mile, it is perhaps the most densely populated country of equal extent on the face of the globe.

'Eastern Bengal' is certainly a most fertile and prolific tract of land, and is suited to the most economical modes of cultivation. Watered by the two great rivers, Burhampooter and Ganges, and supplied with innumerable tributary rivers traversing the country like net work, there are abundant means at all points for irrigation, and a most extensive system of water carriage at all seasons of the year for the usual country boats. The products of the country are not surpassed either in quantity or quality by any District under the Tropics, and their importance is shewn by the large revenue returns.

The dwellings of the rural population consist chiefly of bamboo and mud huts, covered with a thick thatch of leaves or rice straw, and are usually to be found deeply ensconced in the jungle, and ordinarily not visible to travellers. This privacy is looked upon as of great importance, as it often shields a family from obnoxious intrusion. The Bengalees are an effeminate and indolent people; they are ingenious and handy workers, and though

slow in movement, they are nevertheless apt at learning. Their moral habits are however degraded. Cunning, deceit, and sensuality, are amongst their characteristics, and, as a natural consequence, where immorality predominates, courage is at a low ebb. Yet it is impossible to imagine the whole mass of the nation to be utterly void of some particle of that honesty of purpose, that conscientiousness of thought and feeling, which may be found even among those who do not rank in the highest position, either morally or intellectually, and education and example, combined with great firmness, may, in generations to come, yet present us with a community recognising the authority of moral principles; while, among the more cultivated intellects, there is even now no want of a certain shrewdness and quickness of thought, which offer materials for still better things.

To facilitate description, 'Eastern Bengal' may be arranged into three great territorial tracts.

The District lying to the south and west of the Ganges, including the District to the east of Calcutta and the great Soonderbunds circuit, comprises the first tract.

The Soonderbunds stretch across the head of the Bay of Bengal, a distance of 260 miles, and present, at the Sandheads, a low swampy country and a dense forest for 50 miles inland. Beyond this, cultivation first makes its appearance. There are nine principal streams and several tidal estuaries to the sea front. The portion of the country which has been cleared is cultivated chiefly with rice, and is densely populated, but in the forests and on the extensive swamps there are but few inhabitants on account of the numbers of wild beasts and venomous reptiles, and the malaria which at the end of the rainy season is very deadly. The Soonderbunds is a tract of much interest, and offers many subjects for contemplation. The water channels afford an excellent, though circuitous, line for the navigation of country boats, which ascend and descend from the open and more cultivated parts of Eastern Bengal; but they are full of danger for the navigation of steamers or other large craft. The country is mostly covered with crops of rice and oil seeds, and open pastures, studded with beautiful groves of trees, which shelter and nourish the cattle belonging to the many villages that stud this interesting locality.

The Second Tract consists of the Districts lying between the Ganges and the Burhampooter, extending Northwards to the foot of the Himalayas. The character of the country is similar to the cleared portion adjoining the Soonderbunds; it is however a slightly higher tract of country, and is specially suited for the growth of fibrous plants, for which the neighbourhood of



Rungpore is greatly celebrated. The population inhabiting this tract of territory is scarcely less dense than in the first tract, whilst the general appearance of the country, always flat, is much the same as in the other parts of 'Eastern Bengal.'

The Districts lying East of the Burhampooter, including Dacca and Sylhet constitute the Third Tract. This tract presents greater resources than either the first or second tract. The greater portion of its surface is occupied by the rich plains of Mymensing and Sylhet through which the river Soornia meanders. The old channel of the Burhampooter, now nearly dry, together with other old beds of alluvion, wind along by Dacca from the Eastward.

This Tract affords a great variety of produce, such as cotton, sugar-cane, rice and other grains, together with potatoes, plantains and oranges. These last are supplied to Calcutta in greater quantities from here than from any other quarter. The Eastern hills offer a large assortment of agricultural produce and mineral wealth. In the high lands are obtained lime and coals, besides valuable timber, and the district produces tea of the best quality. In the pastures and jungles are elephants and buffaloes, valuable to India as beasts of burden, and, to commerce the latter are also valuable for their hides. This tract is therefore one of vast importance to the general resources of India. Excluding for the moment, any description of the great valley of Assam, the occupied portions of the three tracts contain together about 35,000 square miles, and it has been estimated that no less than 425 human beings are located on every square mile, giving nearly fifteen millions of inhabitants for working the internal resources of the country.

Viewing the three great tracts together, they certainly offer the finest field in India for the investment of capital and skilful enterprise. On the east and north limits of 'Eastern Bengal' are two 'Hill stations,' Cherapoonjee and Darjeeling. Each of these stations is a Sanatorium useful in alleviating the effects of the fierce and trying climate of Bengal. To all invalids, and especially to European constitutions, these stations are most valuable, and although at present hard to reach, they will be made accessible to the metropolis within a very few years.

In contemplating the picture of the country that has been described, it is painful to reflect how backward in civilisation is this important province of our Indian possessions. Although in its present undeveloped state it produces a greater proportion of revenue than any other tract of country in India of equal extent, it may be said to be enveloped in the accumulated darkness of past ages. There are no roads of importance, no appliances of modern civilisation, and the transit of produce is

effected by the most primitive expedients. Through its length and breadth it is limited to a tedious water communication in boats of unsafe and cumbersome construction. The staple of the export trade consists in the raw produce of the country, and the manufactures of Indigo and Silk. The imports are comparatively trifling, when such a vast population is taken into account, and much judicious management will be required before the consumption of English manufactures attains its due proportions.

It has been previously observed that the population of 'Eastern Bengal' was not condensed or concentrated in large towns, with the one great exception of the Metropolis, nor is there any reason why it should be. The elements of its commerce are solely agricultural, and differ therefore materially from trade in England. The produce of the country is collected in certain Bazars for further distribution, and the towns of Dacca, Rungpore, Mymensing, together with the marts of Serajgunge, Jessore, Naraingunge, Sylhet, Assam, &c., constitute the chief resorts of traders and emporia of the resources of the country; but they are simply warehouses for exchange with Calcutta, and not centres of industry such as we possess at Manchester, Leeds, and innumerable other towns in England. Some few wealthy European and native traders however have established houses of their own, and transmit their own produce direct to Calcutta. The working people are ill directed by the zemindars or native landlords. The native mahajuns or merchants, together with the smaller traders and boatmen, have all endeavoured more or less to oppress or cheat them.

The great valley of Assam, which lies to the extreme east of Bengal, extends a length of four hundred miles, with a breadth varying from forty to seventy miles, and comprising an area of about 22,000 square miles, through which the Burhampooter River flows. Mr. Barry, of Serajgunge, has fully described\* the great value of this district as a field for mercantile speculation, on account of its great resources. Coal, lime, and iron have been discovered in several places, also gold and precious stones, and several amber and salt mines. Timber is found in the forests that line the Burhampooter. There are several extensive tracts of tea and other cultivated land, though the country is generally swampy. The people however are idle, and being abstemious are without any sufficient incentive to labor: the consequence is, there are immense tracts of excellent land lying waste, that

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\* Memorandum on the Province of Assam, published by C. B. Lewis, Baptist Mission Press, Calcutta, 1858.

might be most profitably cultivated. Wild elephants, tigers, leopards, bears, buffaloes, hogs, and game of all sorts abound, and the greater part of the country is in a truly primeval state.

It has been already mentioned that 'Eastern Bengal' possesses, in her many rivers, a complete system of water communication. These rivers are at present the only channels of communication that serve for the transport of merchandise; they are very circuitous and dangerous, and the tediousness of a journey up and down can be fully understood by those only who have had the fortune to endure it. Roads there are none, save near Calcutta and around some of the Civil Stations. There are a few miles of half-made roads, formed in a desultory unsystematic way, connected with the Indigo Factories, but no road that can be depended upon for a journey of twenty miles without interruption. Wheeled carriages, other than bullock hackeries, are therefore not to be met with at any distance from Calcutta, save at the Civil Stations, and the consequent loss of time in the transit of goods and in travelling generally, brings with it a corresponding loss of money. Roads therefore are the great want—good and substantial roads—and for the complete development of the country, railroads, as well as the common roads, must be provided. A well defined system of roads is the key to the prosperity of the country.

It has been estimated that about one half of the produce traffic, between the interior of this side of India and Calcutta, is obtained from within the districts of 'Eastern Bengal,' and that the largest portion of it is for British or foreign consumption. The present Eastern Bengal Railway was projected in 1856, and the computations concerning the amount of tonnage it was likely would be carried, were based on the returns of the Eastern Canals, from which it was fully demonstrated that upwards of one million tons weight of produce were transmitted annually to the port of Calcutta from the districts of 'Eastern Bengal,' and that at least forty thousand tons of imports were distributed over the same territory as return cargoes. From a further calculation it was presumed that the railway would obtain the transmission of 419,560 tons per annum. The promoters of the railway speculated on taking £379,210 per annum as gross receipts, from goods and passengers, when the line was completed to Dacca and Narraingunge which would produce a dividend of 8 per cent upon a capital of £3,000,000 the estimated cost, including the rolling stock, management, &c.

It may be observed that in so complex a river system as the Gangetic Delta, it was a question of no small importance to decide carefully in the first instance, the route of the trunk

line, so as to admit of the extension lines being connected advantageously hereafter. By a reference to the map inserted at page 168, it will be seen how judiciously the main line has been laid out for the aggregation of the traffic that will be brought down the various streams which traverse the country.

Such a system of railway as is here sketched out for the full development of the resources of the country is most essential, and the Government, it is presumed, will bear this always in mind, when deciding on the concessions hereafter to be made, from time to time, to the Eastern Bengal Railway Company; without it the resources of the various districts of the country, cannot be thoroughly opened out. How strongly this is really felt by the authorities, may be understood by a short account of the steps they have already taken, and the progress that has been made with the Eastern Bengal Railway undertaking.

So far back as the year 1853, it was clearly perceived that the traffic of 'Eastern Bengal' required that a railway should be carried into that quarter. The question was brought under the consideration of the Government, before even the experimental line of the East India Railway Company to Raneegunge was tried, and Major Greathead, then a very young officer in the Bengal Engineers, was instructed to examine and report on the line of common road between Calcutta and Dacca via Jessore. To his report we owe the first outline of a plan for a line of railway from Calcutta eastwards; for not only did he distinctly point out that a railway could be had at but a trifling more cost than the ordinary road he was sent to report on, but he also broadly discussed the question of the amount of traffic that might be expected. This at once placed within the reach of an enterprising merchant of Calcutta, Mr. W. F. Fergusson, an amount of information which enabled him to organize a set of promoters in England; soon after which, the present company for carrying out the undertaking was formed.

In the early part of 1856, when a favourable opportunity occurred for putting forth a prospectus of the railway, and testing its merits upon the London money market, the avidity with which the shares were taken up was perfectly astonishing. The capital for the first section of the line was put down at one Million Sterling, but applications were actually made amounting to upwards of 15 Million Pounds Sterling, and the requisite deposit per share was collected for preliminary expenses. This glut of applicants was weeded by the Directors, and the share list purged and reduced to the amount of capital required, and the deposit money for the surplus was returned to the applicants. In this way a singularly good, and

solvent list of shareholders was obtained. The Company thus got the capital subscribed on the condition of a guarantee being given of a fixed interest of 5 per cent., to be paid to the subscribers by the Government of India or the Court of Directors.

The East India Court of Directors looked carefully at the project, and would give no guarantee before the route of the line, was definitively settled, or some favourable opinion expressed by the local Government of India. At this stage, it was thought expedient to send out an Engineer to Bengal to make surveys, and such preliminary investigations as would eventually be required; and, during the latter end of 1856 and the early part of 1857, the country was explored and surveyed by Mr. Purdon, an Engineer, who was despatched from England for this special service. The plans and estimates, together with the reports of that gentleman, were duly submitted to the Government through Colonel Baker, and were fully discussed by the present Governor General in Council. The main trunk line from Calcutta to Dacca being considered the best that could be devised, was determined upon, and a recommendation was sent home to Government, and the East India Board to concede it to the present Company with a guarantee of 5 per cent. on the Capital required for its construction.

It was in June 1857 that the favourable opinion of the Government of India reached England, and with this despatch also came the lamentable intelligence of the mutiny of the Native Bengal Army; yet such was the reliance placed on the British strength in India, that within one month after the opinion of the Government of India was received, the concession of the line was given, and the guarantee of 5 per cent. granted on the capital conditionally subscribed. An Act of Parliament was next obtained within three months following, fully incorporating the Company.

Many of our readers can remember the impression the Mutiny in India made on Parliament, and how manfully the old Court of Directors permitted the Bill for the construction of the Eastern Bengal Railway to be proceeded with at a time when the very existence of the East India Company was in jeopardy; and how Members and Noble Lords smiled as the Bill proceeded, wondering at the revived energy of the Court of Directors during their throes of dissolution. The Act received the Royal assent in August 1857, when the direful news from India was at its culminating point. The promoters soon discovered that the confidence in Indian Securities of the public in England was shaken, and they refrained from making a call on the Shareholders for funds to enable the undertaking to proceed,

The Court of Directors participated in this very reasonable and just apprehension, and it was mutually agreed to let the subject rest until better times.

The baneful effects of the Mutiny on the public generally, extended itself to the promoters of the undertaking, and neither the Railway Board nor the Court of Directors had sufficient confidence to avail themselves of the opportunity of a year's leisure for completing the plans and particulars for the works, and the loss of this time was the cause of serious detriment to the Company. In the month of May 1858, when the cheering news from India of the rapid suppression of the Insurrection began to enliven their prospects, the Board found the old East India Court of Directors swept away, and a new order of things established at the India House. The confidence of the Shareholders then revived somewhat, although a Committee of the House of Commons was receiving the most conflicting and extraordinary evidence, that ever was taken, upon the causes of delay in the execution of the Railways of India. The Board now requested their Consulting Engineer, the late Mr. Brunel, to take steps for letting the construction of their works proceed, and they again engaged the services of Mr. Purdon, and appointed him Chief Engineer of the line in India.

In the mean time the evidence taken before the Parliamentary Committee on the causes of delay in the construction of Indian Railways had created a strong feeling in England, that it was most advisable to get some of the great English contractors to execute the works, and bring their experienced and trained hands and familiar appliances, to bear on the prosecution of the Indian lines. Mr. Purdon was accordingly instructed, under Mr. Brunel's direction, to procure designs and prepare a comprehensive contract for letting the whole of the works of the Eastern Bengal Railway between Calcutta and Kooshtee, and the Board at once advertised the letting of the work by Public Tender, with a view of commencing active operations during the ensuing cold season in Bengal. This it appears was a very difficult task to perform in four months. It was nevertheless successfully accomplished, and Mr. Purdon, with a staff of Engineers, started for India in September 1858, immediately after the Board had accepted the Tender of Messrs. Brassey, Paxton, and Wythes. They arrived in Calcutta on the 1st November 1858, and lost no time in communicating with the Government.

The executive staff now experienced some of those difficulties in their surveys, which might be expected on commencing a new work in a foreign country, where their transactions were not facilitated by official routine. The Engineers of the local

Government were furnished by the Home Authorities with the details of the contract that had been made with Messrs. Brassey, Paxton, and Wythes. The conditions of the contract and the comprehensive specification puzzled them at first, because they knew that no working surveys of the line had as yet been made, though a preliminary survey had been obtained by Mr. Purdon, and that the Government had not even sanctioned the precise route of the line. The time allowed for the execution of the works also appeared to them marvellously short. The Engineers of Government in India were not familiar with such contracts, though of every day occurrence in England. Difficulties occurred, and doubts were entertained. The contract was said to be a very bad arrangement, and it was observed how much better it would have been if, instead of wasting a whole year in England contriving such a contract, the Company's Engineer had returned at the close of 1857, and made the proper working plans of the line, from data that could be at once understood by the local Government. But in fact all this was impossible, for India was at the time in rebellion.

The chief items of expence of any Railway in Lower Bengal, such as the Permanent way, the Ballast, the Earthwork, the principal Bridges, Stations, and fencing, can be calculated with sufficient accuracy from a general survey of the line, and it makes little difference, (there are of course exceptional cases) whether the line be carried a few chains to one side or the other of the assumed line of route. The amount of all the items can be so nearly determined by an experienced Engineer, that an approximate set of quantities may be got out to form the basis of a perfectly sound contract, which shall provide for adjusting the gross sum according to the ultimate ascertained quantities of the work when executed. In all sound contracts, provision is made to adjust the original estimate with the actual outlay, and this adjustment is made by a comparative view of the quantities which formed the basis of the original estimate, with those actually found to have been executed at the completion of the works. The excess or deficiency of works of any kind being added to or deducted from the original estimate.

Obtaining possession of the land for the formation of the Railway was a tedious operation, and although the contractors were to have commenced work as early as December 1858, they were unable to do so before the month of October following, as the land could not be made over except at a few disconnected places until that period. Next came the Contractors' difficulties with respect to a fair adjustment of wages for the coolies, who withheld their service

for a time, with a view of forcing the Contractors to pay exorbitant rates, believing them to be bound under any circumstances to a fixed period for completing the works. Time however smoothed in a measure these difficulties, and the Contractor's staff being shortly afterwards organized and distributed over the line, they commenced work in earnest. Shipments from England arrived, and the materials were transported speedily, and fortunately without loss, on to the various divisions or districts, as they are called, of the line. A severe scrutiny on the part of Government was in the meanwhile carried on, on account of the doubts still entertained of the soundness of the conditions and stipulations of the contract.

After this brief sketch of a part of the history of the proceedings of the Eastern Bengal Railway Company up to the time of the arrival of the Engineering staff, and the present Contractor and his staff in India for the actual prosecution of the works, the present state of the undertaking should be described.

It appears from a statement which has been obtained from the Chief Engineer, that up to the present time 66 per cent. of the Earthwork for the whole 110 miles is done, and 21 per cent. of the brickwork; 16 per cent. of the ballast is burned, and about 40 per cent is ready for firing, and the materials for laying the greater portion of the permanent way are upon the ground. In addition to the above works the iron bridges are in a very forward state. It may therefore be confidently anticipated, if all still continues to go on smoothly, that the 110 miles of line will be finished and ready for traffic, before the rains of next year, or in May 1862.

Fifty-six millions of pounds sterling represent the anticipated cost of railway works in India already conceded to the fostering care of Joint Stock Companies; this amount is to be invested with the Government of India at a guaranteed rate of interest of five per cent. per annum, with a prospect of course of an additional rate of interest from a dividend. This is indeed a grand step in advance for India; and should Indian Railways become as remunerative as they are popular, it may be confidently predicted that as much as one hundred millions of pounds sterling can be easily raised in England, and be beneficially laid out on Indian Railways.

The Eastern Bengal Railway Company has a concession to construct a Railway from Calcutta to the River Ganges at Koushtee, and ultimately to Dacca, together with a branch to Jessore. The Company have taken power under an Act of incorporation to increase their Capital to £6,000,000, and to make arrangements for the construction of at least 600 miles of Rail-



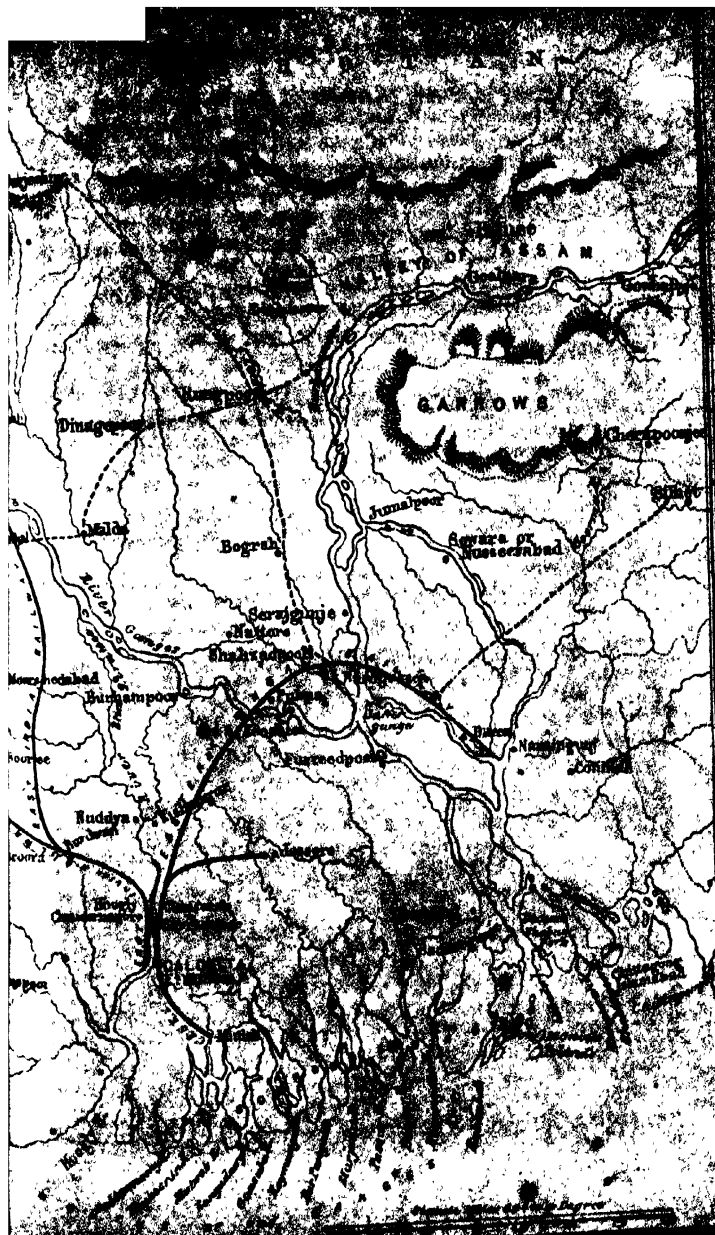
way. Sufficient capital to construct only the first section of 110 miles from Calcutta to Kooshtee has at present been raised.

A small map here introduced will shew the line conceded to the Eastern Bengal Railway Company; the black line being the parent stem of the system of communication which it is thought will be required. The dotted lines, and the annexed table will shew the lines that evidently appear necessary to develop, if not to complete, the railway system in 'Eastern Bengal.' These lines may be constructed under the powers already conceded to the Railway Company by their present Act of Parliament, subject to the capital being guaranteed by the Indian Government.

	<i>Miles.</i>
0 Main trunk line between Calcutta and Kooshtee, ... ..	110
1 Extension of the Main line from Kooshtee to Naraingunge via Dacca, ... ..	106
2 From Shazadpore to Rungpore, ... ..	116
3 From Rungpore to near Darjeeling along the course of the Teesta river, ... ..	100
4 From Rungpore to opposite Rajmahal via Dinagepore and Malda, to connect the North West with the Eastern Bengal system of lines, .. ..	110
5 From Rungpore to the foot of the Assam Valley, ... ..	50
6 From off the Dacca extension line at Dhumroy to Sylhet, ... ..	120
Total, ... ..	712

This amount of railway mileage appears to be as requisite to accommodate 'Eastern Bengal' as the 1,414 miles of railway already conceded to the East Indian Railway Company, is for the North West, since its population, produce, and natural resources are no less in proportion. How these extension lines (all of them abutting on the main line or trunk), already conceded to the Eastern Bengal Railway Company, are to be carried out, is a problem which our rulers will have to solve, if the resources of this side of India are to be developed: and to the discussion of this problem we shall briefly address ourselves.

It appears certain that no better course can be adopted for carrying out the extension Railways, than that of accepting the medium of the Companies already incorporated; because, as was most truly observed by the Governor General of India at the recent opening of the Railway to Rajmahal;—'Though the Government were most anxious to give encouragement to the investment of English Capital in India, and however sincere their desire, that encouragement would fail unless they could prove by the establishment of Companies that there is scope for remunerative employment of such Capital in India, particularly in Bengal. Without such assurance, capitalists will not





'be induced to aid in such enterprises, however useful in their 'ultimate results.'

Now if we are to look forward to the construction of 712 miles of Railway in Eastern Bengal, and in like proportion through other important provinces and districts of India, it is difficult to conceive by what other means the money can be raised; for although the Government might possibly raise a loan of a few millions for the purpose of making a limited number of miles of Railway, it is quite improbable they could raise money enough, in addition to the heavy loans required for the other purposes of the State, to construct the many miles that are required. The House of Commons would scarcely sanction such a proceeding, if indeed it were feasible, as the English Market would thereby be deluged with Indian State securities to the depreciation of all English stock. It would however be quite otherwise if the Joint Stock Company principle of raising capital were judiciously made use of, because, where private enterprise can have scope, the direct action of Government is seldom or ever desirable. But putting aside any question of whether it is abstractedly better to borrow in the form of a direct loan to Government, or indirectly by encouraging the investment of Joint Stock Capital; the former course can only be practicable to a very limited extent, neither is the latter system capable of any great extension, unless it can be shewn to afford remunerative employment for the capital invested; but if it be carried out by degrees, so as not to overdraw the resources that can be spared in England, at any one time for such purposes, every mile of Railway here mentioned may be constructed in comparatively few years, provided the different sections of the lines be taken up in succession, and laid before the English public in a skilful and judicious manner, and under a Government guarantee.

The raising of money for Indian Railways, through the medium of Joint Stock Companies, was not adopted in the first instance, chiefly because it enabled the capital to be more conveniently raised. There was another very important reason for it, namely, the deficiency of the requisite executive machinery at the disposal of the Government, for the construction of the lines, which thus would have to be entrusted to officers in the service of the State, who would have to be self-trained to their duties; whilst Joint Stock Companies on the other hand could bring together experienced men from England and other countries. It may be argued that the Government also could engage the same experienced Staff of Engineers and other Officers, but this does not appear so certain. The State could not so easily get them together as Joint Stock Companies, because Civil Engineers in

general, have a dislike to military control '*per se*,' as it does not permit them to exercise that freedom of thought in the preparation of their designs, or the supervision of their works, to which they have been accustomed. It is no small privilege to India to possess, as she does at the present time, that diversity of Engineering thought and talent in the prosecution of her railway works, which has been introduced by the agency of Joint Stock Companies, and it would be unwise if India were not to avail herself of that skill and experience, which the satisfactory construction and completion of English and European Railways, places at her disposal. It might also be made advantageous to the Indian Government, as a school to train the officers and servants who are in her pay, since the process of making an experienced Railway Engineer is not so easy as it is at times imagined, and it is always an expensive and tedious operation. There are many clever and talented Engineers to be found in the service of the Indian Government, but it is hardly possible that they should possess that experience in those numerous details of Railway practice, which go to form the Railway Civil Engineer.

It has been previously mentioned that the present concession to the Eastern Bengal Railway Company extends beyond the Ganges to the Burhampooter and to Dacca, but that the capital actually subscribed is only for a section of Railway between Calcutta and Kooshtee on the Ganges, a distance of about 110 miles. There is no guarantee as yet given for the extension capital, and no subscription contract is as yet entered into for raising the money. Now at first sight it might appear that nothing is easier than for the Government of India to guarantee 5 per cent. upon the extension capital, issue the stock, and raise the money forthwith. But a little reflection will shew that there is considerable difficulty in the way, the shares being already at 10 per cent. discount.\* In the face of this fact, no extension capital can be expected to be subscribed for at the present time, unless the shares can be obtained at a still greater discount, or unless a higher and more tempting rate of interest be guaranteed. Such a state of things practically precludes the possibility of raising Joint Stock Capital for further extensions, until the project appears likely to be more remunerative than the 5 per cent. guaranteed, and also perhaps until a period of more eager desire for investment in Indian Securities is manifested by the London Market than at present exists.

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\* The cause of this depression is believed to be owing to the fact that the merits of the undertaking have not as yet been sufficiently notified and explained to the public.

In order then to float any extension shares, it is evident that the portions of Railway previously constructed must be made in the first instance remunerative; the management of the Company's affairs must in like manner be maintained in good repute; Capitalists will then in all probability be found to take up the stock from time to time, when judiciously offered in the market. What at present is most necessary for the Railway Boards is, to collect into a well considered compendium or pamphlet all such reports and statistics, estimates and prospects of traffic of the various lines, which should be circulated amongst the proprietors and the public under the sanction of Government, to enable people to judge of the merits of the various projects. The publication of these in one volume for all the Indian lines would give a great impulse to those investments, and be likely to produce a large accession of capital for these undertakings at the earliest period that it is desirable to obtain it. When the parent stem is extended to Dacca, the line to Rungpore may be put forward, and if guaranteed will be taken up with as much avidity as the original share capital of the Company, if but good faith and steadiness of purpose in keeping up the reputation of the Company, be maintained.

It may be observed that in dealing with so difficult a subject as the raising of Railway Capital, many collateral points will naturally arise, which require to be specially met; for instance, an unusually sterile tract of country over which little or no traffic can be obtained; or an expensive bridge over a great river such as the Ganges at Kooshtee; or some sudden depression in the money market; or the reputation of the Company itself suffering from assumed, or actual bad management. All or any of these causes might disturb the proceedings of the Company to such an extent, that they would have great difficulty in raising capital. To meet such circumstances it might be permitted to the Company to borrow on debentures, a sum equal to one third the Capital subscribed, so as to counteract and tide over some of these temporary difficulties, and it might also be desirable for the Government itself to assist and relieve the Company from some of the very heavy works, and perhaps to undertake directly the construction of the line across any commercially unproductive tract of country, so that every link should be made complete by leasing the Government works to the Company. The Government might be enabled in more prosperous times to borrow for such purposes on the securities of the Revenue of India, in addition to guaranteeing the share Capital of the Company; but whether encouragement and positive assistance on the part of Government are given or not, it

is essential that the fullest control of the expenditure and management of the Company's undertaking should be vested in the Government.

This leads to the discussion of another very important question already dealt with partially, viz. the relation between the Government and the Company, and the powers of each. Considering the varied character of Joint Stock Companies in general the utmost influence and care of the Home Authorities should be exercised in obtaining a good Directory in the first instance, and afterwards maintaining it. The approval by the Indian Secretary of State of each Director should be made a *sine quid non* by Act of Parliament. The Home Government should have power to dismiss any Director, although the shareholders should still retain the prerogative of electing their own Directors. It is evident the Government have a large stake in the undertaking, since they not only give the land, but also the guarantee of 5 per cent. and it may be generally remarked in respect to all Railways that inefficient Directors do much mischief, and often seriously impede the progress of the undertaking, which must not be looked upon as being but a private speculation, but also a grand national work.

It is doubtless a delicate and difficult problem to determine where the interests of the shareholders are in opposition to the representatives of the State; but it appears self evident that none but well known men should be admitted to sit at the Board of Direction,—men who being respectable in social standing and commercial position would draw around them respect, and bring with them a connection that would facilitate the raising of capital; men who, possessed of good sense, would never attempt to frustrate the national object and jeopardise the general prosperity of the undertaking as a whole; men who would carry with them the confidence of the body of Shareholders, and who possess sufficient strength of mind to enable them to combat successfully the elements of disturbance, suspicions, and of improper interference and combinations, made against the Board of Directors and governing authorities whenever they occurred. It must not be supposed that there is extraordinary difficulty in procuring such Boards of Direction. Gentlemen of the stamp required are found ready to enter respectable Directions of great Companies, such as the Indian Railways are likely to become, and such Gentlemen are actually found to sit upon the Direction of our Indian Railways, and it should be as much an honor to sit at one of the Boards as it is to be a Director of the Bank of England, or as it was to be Director of the late East India Company.

Having secured the best possible Board of Directors, next comes the degree in which the Government should exercise its control. There is but the faintest possible analogy between the constitution of an Indian Railway Company and the position of the ordinary Railway Companies in England. The one goes on without any supervision on the part of the State beyond the Act of Parliament for the guidance of the Railway Company. The other requires the constant and vigilant supervision of the Local Government and its Officials, to prevent abuses to the landholders and community at large, that might otherwise lead to consequences disastrous to the Empire.

Unlike Companies for English Railways, the Government reserve to themselves at starting the right of selecting the route of the line, and as they give the land and the requisite guarantee, they are obviously entitled to the most complete supervision of the expenditure of the Company.

There are many essential reasons why it would be well for Railway Boards to admit the necessity of the Government control over their undertakings in India, but chiefly because there are no independent tribunals in India. The Supreme Courts of India are unable to enforce the performance of an agreement between an English Company and the Imperial State. No Railway executive in India therefore, should be entrusted with the difficult problems that arise from time to time, unless placed under the direct sanction of some local authority, possessing stability of character and a certain amount of freedom of action. To refer every question home for deliberation would cause much difficulty and elicit many inconvenient explanations; it would excite irrelevant correspondence, and would seldom present a true description of the case when it reached England. It is therefore almost impossible for a Railway Company, of itself, to organise an agency of sufficient power or authority, for the construction or the working of a Railway in India. Considering then the intimate relations that should exist between the Railway executive in India and the local Government, it is a most important desideratum to determine the most effective system of conducting the Company's affairs. It may be assumed with sufficient accuracy for argument, that capitalists will invest no money in Indian Railways without a guarantee from the Indian State, and if this is so, the legislature says, so long as we guarantee you your property, we will take to ourselves the right of controlling your discipline. It is clear then that the Companies cannot 'ab initio' regulate their own operations independently of Government, neither can the executive Officers in India be wholly trusted with unlimited



powers, since they would clash with the civil discipline of Government.

The capital being raised under a guarantee, and secured under a regular agreement between the Government and the Railway Company, it is made a proviso that the Company are to be allowed the full advantage of any increase of profit that is fairly due to the successful development of the traffic, after the Government have been repaid their guarantee. This source of increased dividend is contingent on the success of the line, which again is of course due to the project being well considered and the management being judiciously maintained. In granting this benefit to Joint Stock enterprises, the interest of the State is fully secured, and it is manifestly also to the interest of Government to assist the undertaking cheerily on its course of prosperity.

Such being the basis upon which Indian Railways, as at present constituted indisputably rest, it is really not a matter of much difficulty to determine the way of so applying the Government control, as to give satisfaction both to the Railway Companies and to Government. It is by no means necessary or proper for the Government to have an absolute control over the Railways, as if they were entirely its own property; on the contrary, it is much better to be associated with the Railway Boards.

The right of appointment of their Chief Officers and other functionaries rests with the Railway Companies themselves, subject however to the approval of the Home Government, and it has been supposed that the right of dismissal over all the Officers and Servants of the Companies employed in India, should be referred to the local Government who control them; but this is not so, and it would be very injurious to the administration of a Company's affairs if it were; because no really good officials could be found who would come out to India to take service under one set of men, whilst another set of men might summarily dismiss them; neither would any good arise from such a power being given to the local Government, because their appointments being made direct from the Company, the Officers and servants of the Company would very naturally disregard any interference, not contemplated or specified in their agreements, and it would very probably give rise to insubordination and distrust of the Company. It might not be amiss perhaps for the Local Government to have power actually delegated to them in each agreement, to argue the merits of all cases of indiscretion, insubordination, or inefficiency, previous to the decisions of the Home Board, but it should not be permitted to them to act merely on their own convictions.

It has been previously observed that there was little difficulty in devising a complete scheme for working out the Railway Company's contracts in India, after the agreement between the State and the Company has been completed. In order to discuss this part of the subject on its merits, it is desirable to have a knowledge of the arrangements most commonly adopted. A general Agent is appointed to India to represent the Board, and he is either accompanied or preceded by the Engineer in Chief with a staff of Assistant Engineers and Subordinates. These two principal Officers are then placed in communication with the local Government, with whom it lies to sanction previously every thing that has to be done, both in the administrative and executive departments. It is rightly required that the Agent, representing as he does the Company in India, should be the sole medium of correspondence between the Executive, the Home Board, and local Government. He is to be conversant with all things relating to the affairs of the company, without interfering on points which are left wisely to the discretion and professional knowledge of the Chief Engineer, who on Engineering matters should be exempted from his control; but it is also not unreasonably desired that a certain check should be kept by the Agent over the Chief Engineer on matters of general outlay, so as to subject him to the control of the Board and the local Government. The latter is represented by an Officer called the 'Consulting Engineer' whose duty it is to advise the Government and convey its views and orders to the Company's executive.

It is presumed that the route of the intended Railway has been generally ascertained before hand, from exploring surveys made either by the Company or by the Engineers of the local Government. It is now too late to talk of a Royal Commission to lay out a general system of Railways for India, since the leading lines of the Country have been long since determined; the routes therefore of all future extension lines may be safely left to be decided by the different Government authorities, no matter from what source they gather their intelligence. The Railway officers are responsible only for the construction of the line, and so long as they do it in conformity with the views and regulations of Government, as intimated to them through the Government Consulting Engineer, they need not care what route has been determined on. The manner in which the route is ultimately decided on has varied greatly according to the circumstances of each project, and depends greatly on the views of those officers who may be acting for the Company or Government at the time.

There are two systems at work in the management of Railways in India. Some of the Companies have proceeded with the construction, before taking any comparative views of their means and ends; others have more wisely made comprehensive estimates before hand, and passed carefully in review every thing they would ultimately have to provide. It has sometimes happened that no skilled Contractors could be found with capital sufficient to take the whole works; this has obliged the Railway Companies themselves to construct them with their own Executive Staff; but this system has frequently obstructed the works, and is one which should be avoided as highly objectionable and defective. But it is not always a matter of choice which system is adopted, although there can be little question of the desirableness of letting the works, whenever practicable, to Contractors possessing experience and resources. The practice pursued under each of the two systems referred to will be dealt with hereafter. In the mean time it may be observed that whichever system be used for constructing the works, the regulations which affect the executive of any Railway Company, and the machinery by which the Government control is to be exercised, demand the primary consideration.

The Government Engineers and the Civil Engineers have not hitherto worked, as they ought to do, harmoniously together, and much evil has resulted in consequence. The cause of this disagreement is not difficult to explain; but before doing so, it is necessary to point out how badly contrived is the machinery of the Railway Company's executive, from the fact of the Railway Agent and the Chief Engineer of the line having independent authority. The arrangement is defective; the Government Engineers encouraged it as a safeguard for themselves, but the system had a depressing effect on the Railway Engineers who make the designs and direct the execution of the works, and who being alone responsible for the soundness of their construction, are entitled to credit accordingly. The result was however, that the Agent of the Railway Company was made a sort of buffer between the Government and the Company's Engineers, and his intervention was sought as a matter of policy.

The office of the Agent thus became one of great practical consequence instead of being as at first intended, simply a medium for communicating the wishes of the Board and the Chief Engineer. Consequently when the agent supported the official requirements of Government, the opinion of the Chief Engineer was unduly overborne, so often as he submitted and strenuously supported his own views, which might at times be in opposition to those entertained by the Government Officers.

Reverting to the system of the proper organization of the Company's Staff, it must always be borne in mind that there are two distinct periods in the existence of a Railway Company. One is the period of the construction of their works; the other the subsequent period of working the undertaking. The first is a period of capital expenditure; the second, a much longer period of Revenue disbursements and returns. The first is essentially an Engineering period; the second a traffic-working period, where the general control of the Agent may be advantageously exercised.

The Agent's financial knowledge and habits of business might be made of great service to the Chief Engineer, during the construction of the line, more especially as he will afterwards be called upon to work the line in conjunction with the Traffic Manager, Locomotive Superintendent, and Resident Engineer. But during the construction of the Railway works and its capital expenditure, the Chief Engineer must be the principal man consulted and confided in, because on him the whole responsibility rests; the Directors and every one else look to him for the successful accomplishment of their undertaking. His judgment is looked on as final, and the Shareholders having entrusted him with their confidence and embarked their capital upon the faith of his estimates and reports, naturally look to the Chief Engineer as their Chief Officer during the construction of the line. It is well known to Railway Companies, that the most important thing at the outset of their speculations is to determine who shall be the Engineer entrusted with the expenditure of their money, as he must not only be a man who can command confidence, but he must be a skilful man, and one accustomed to design works soundly and economically. His administrative ability in directing the execution is no less necessary, than his general prudence and habit of forethought and integrity of character, so as to keep the Company safe on points which none other besides himself, could be expected to foresee or be able to guard against. For this reason he should not be interfered with in professional details and trivial matters that only thwart and cross his purpose without effecting any real economy. The character of an Engineer has always been held in consideration amongst the highest class of Railway Directors, as well as amongst Statemen and capitalists, and there is no sound reason why the Government of India and the direction of the Railway interests should not similarly regard it.

It has been previously explained that no great amount of capital can be obtained for Indian Railways, except through the medium of Joint Stock Companies, and that it requires a more

*skillful system of management than has hitherto been brought to bear on such enterprises ; and certain points have been touched upon, which tend to shew that the only way to raise the requisite capital, is to strengthen the existing security by a State guarantee, and supply such management as will carry with it that confidence, which usually attracts capital to such speculations : also, commercially speaking, by a judicious selection of the route and design of the works, and by a wide publication of the advantages that may be obtained from each project. There need be little fear but that all the lines really wanted in India may be made, if their merits are only properly placed before the English public, and a State guarantee of 5 per cent. is given to them. The reason why the efforts already made have not been continuously successful, is easily traceable to the fact, that the requisite skill has not characterised the management of this subject, and also that the London money market is not at all times accessible to Railway schemes.*

The spirit of 'Capital' is coy, and requires gentle wooing ; it is repelled or attracted by the most delicate influences, and as no brusque or inconsiderate action or remark ever passes unheeded, so likewise no force is of any avail in its subjection. It may from this be assumed that no system will be found to work out successful results, if the men who compose the deliberative body of Directors and Government authorities in London are not cautious in their movements, and equal to the circumstances they have to control. The basis of the management must be sound at starting, and it may be brought into operation as regards the organization of the London Boards of management in the way already suggested.

The Executive Staff usually employed in England by the Indian Railway Companies, consists of the Secretary and his Clerks, together with a Consulting Engineer, his Assistants and Inspectors, for directing the execution of that portion of the works which must be done in England. It has been found necessary that such Consulting Engineers as can be safely trusted to advise the Directors and Government authorities at home, should be men of first rate standing in their profession, who can also obtain the confidence of Parliament and the public ; and as such men are naturally consulted with reference to the appointment of the Chief Engineers of such Companies in India, there is little more to desire, because a man is sure to be selected who will work harmoniously with the Consulting Engineer and the Home Board, and all that is wanted is that the Board should second the views of their professional adviser, and that their Secretary be such a person as

will bring every item under the deliberative judgment of the Board. There is not much that is wanting in the constitution of the Home management; but as already stated the selection of Directors is of the utmost consequence so that they may command the confidence of capitalists. An injudicious selection of Directors would be calculated to create distrust of the whole undertaking.

The Agent in India who shall act as the Chief Officer or head of the Company, and represent the Board, should be selected for his administrative aptitude. His character should be strictly honorable in order to obtain the cheerful obedience of the Executive Officers, and the respect of the Local Government. His duties should be clearly defined with reference to the head Officers of each department, and, at first starting, there should be no other departments than those of the Chief Engineer and his own. The Agent should commence with a very small establishment, but sufficient to assist him in conducting the correspondence with the Board and the Government, and between him and the Chief Engineer; a responsible Book-keeper should also be attached to the Office of the Agent during the earlier stage of the proceedings, before the line is opened for public traffic, in order to keep a perfect account of the capital expenditure, together with any share or transfer transaction.

The Chief Engineer's establishment must of course be governed by the extent and magnitude of the proposed operations, and it must be left to himself to select and distribute his District Engineers and their assistants as he thinks best. He should of course be allowed such draftsmen and writing clerks as may be necessary to conduct efficiently the duties of his office.

It has been observed before, that there are two important stages in the progress of a Railway Company. The time of construction and the period of ordinary working. During the first of these, the Agent has but little to do, because the Chief Engineer has alone to work out the design which is governed by the capital expenditure. There can be no greater mistake made in the administration of the constructive department of Indian Railways, than the attempts of Government Engineers and Railway Company's Agents to organize under a fixed routine the proceedings of the Company's Executive Engineers; because the circumstances are variable, and promptitude is essential in order to grapple effectually with the difficulties of new works and novel circumstances. Where such vast sums are involved, the progress of the work should not be idly sacrificed for months or even days to the bugbear of routine. It has not unfrequently happened that a question of some trivial diminution

of prices, or a plan of some trifling section has involved the stoppage of important works, and voluminous notes on the subject have been made by the Government Engineers previous to a decision that the work might go on as proposed. The establishments asked for by the Engineers to carry out their duties have often appeared excessive, because there has not been sufficient regard to the distinction between a fixed organization relating to a revenue expenditure, and an organization which is only temporary, and which is part and parcel of the capital expenditure. Is it not obviously to the advantage of the Company to complete the works as speedily as possible, and so free the capital from its unproductive posture? Is it wise to delay the undertaking for the want of an additional temporary establishment, which is deemed absolutely necessary by the Chief Engineer?

The remedy for all this is simple, viz., to recognize the principle that the Chief Engineer of the Railway is responsible, for the design and execution of the works, and until the Railway Engineers are made responsible by the Government authorities at Home and aboard, there can exist no sound principles of management in the proceedings of Companies. The Eastern Bengal Railway differs from most of the other Companies, in so far that the whole project was laid before the Home Government in the utmost possible detail, when the contract for its construction was made, and this has been so useful in bringing every thing necessary to complete the undertaking under Government review and preventing disappointment, that few disputes have arisen between the Company's Executive and the Government Officers. Hence the satisfactory position of the Eastern Bengal Railway Company's operations. Its construction is indeed a marked success, although some misunderstandings regarding the Directors' duties and those of the Government Engineers, may have arisen; these happily have not done much mischief, in consequence of the soundness of the contract and the system of Engineering management that was adopted. Nevertheless all this points out the strong necessity which exists, of calling upon the Railway Engineer in India to submit his plans and estimates, and every thing else necessary for carrying into successful effect the undertaking from beginning to end, and requiring him to get these, or any modification of them, agreed to under sanction of the Government Engineers, so that he may begin operations upon some fixed basis, from which there cannot easily be departure. Differences of opinion should be limited to matters of detail, which do not involve those vast discrepancies of design and outlay that have been at times forced

upon the Railway Companies, and for which their own Engineers and Managers have been blamed, as we think erroneously.

It is not material in point of principle, whether the works be let to great Railway contractors or not. In many cases, it is impossible they could be so let, from the fact of such men not being always ready to take them at a reasonably fair price, and it would destroy the advantage of having such contractors, if it was necessary to give them a higher price than the same work could be done for by the Company's own Executive, either through the medium of a series of small contractors, or by day work, or a combination of both, as is usually the case.

Whatever course is pursued, the great requisite that we have urged before for proceeding successfully, is the judicious selection of the Chief Engineer, who must be trusted with the expenditure of the money. It is by no means necessary that any blind confidence should be put in any such individual; on the contrary, it is proper to watch his proceedings carefully and control his actions when necessary, but he must be recognized as the designer and the constructor of the project, and looked to as the fittest man to determine all Engineering points, though subject to be called upon at any time to submit in review, every thing affecting the design and execution as well as the accounts of the expenditure. Unless this is admitted, it is impossible that the various questions that arise can be discussed by the Board or the Government in a fair manner; and if the Chief Engineer is not in a position to bring all matters that are necessary under review, it is clear that some body else should do so. But where shall we find any other official that is more competent to grasp the whole question, and assign to each consideration its proper place before the deliberative authority, except perhaps in the department of the Company's Consulting Engineer?

The true way is to call upon the Chief Engineer, to put forward the points referred to, and with the advice of the Company's consulting Engineer to assist the Directors and Government Engineers, or other authorities, in deciding the basis upon which the proceedings should rest; and if the works can be let to great general Contractors, the case is afterwards very simple, if the practice adopted on the Eastern Bengal Railway be pursued. But if the works must be carried out by small contracts, and by the Company's own Executive staff, still there is little danger of the Engineers going wrong, provided the basis of their operations be fully determined beforehand, and agreed to by the Consulting Engineers of the Government. All that is then necessary is to hold the Chief Engineer to the responsibility that he has agreed to, and to see



that he is *freely* trusted, because there should be no occasion for distrust, if the estimates, quantities, and other requirements of the work, be but clearly specified. The mode of dealing with the detailed operations, may be safely left to the Chief Engineer under these circumstances, and there would be no want of confidence in the Government officers, because they would be freed from that perplexity of doubt which the absence of a fixed basis engenders.

Referring next to the periods of construction and traffic working, it has been shewn that during the first period the Chief Engineer and Company's Agent, together with Government Consulting Engineers, are all the heads of departments necessary, and that the Agent's office is one of very little range of action. When, however, the time arrives for working the traffic, an entirely different management is necessary. It brings into existence the Traffic Manager and the Locomotive Superintendent, together with the Agent's active duties, and as the Chief Engineer is removed to other places for the purposes of construction, his place should be taken up by a Resident Engineer of the permanent way and works; but if the Chief Engineer should remain in the service of the Company for extensions or branch lines, he should still be held as the responsible person to consult upon all questions affecting the 'way and works,' and the Resident Engineer in charge, should be regarded as his assistant only.

Questions of importance which task to the utmost the administrative powers of a Joint Stock Company, controlled by Government, are of every day occurrence, and it is of the greatest consequence to select as their Agents, men fully competent to handle such difficult matters so far from home; and to command the services of the class of men required, good salaries must be given, and as this involves great cost, it follows that small Railway projects cannot bear the requisite expenses of a separate management so well, as when the undertakings are of a sufficient magnitude to support an efficient staff.

It has been remarked by the greatest of all Railway authorities, the late Mr. Robert Stephenson, in reference to the duties of Directors and officers, that 'no Railway can be efficiently or well conducted without thorough unity amongst the heads of all the great Departments. Upon the Superintendents of ways and works of the Locomotive Department, of the out-door arrangements and of traffic, devolve the most onerous and responsible duties; where they fail to act together, or when any one of them ceases to enjoy the full confidence of the Board, every thing must go wrong. Having selected men of the best class, confiding in their integrity, and assured of their competency,

‘one of the principal duties of a Railway direction is to\* support its officers; any Directorial interference with details must\* weaken their efficiency, upon which must mainly depend the\* ultimate success of the Company they serve.’

It is manifest from this and what has been previously stated, that the persons who must be looked to for successfully working Railways in India, are the four principal officers, viz. the Agent, or head of the Company; the Engineer of the way and works; the Traffic Manager; and the Locomotive Superintendent; and that one of the chief duties of the Directors at home is to support them; and it may be added, that the duty of the Consulting Engineer of the Local Government is to control their proceedings in India.

As the Board in London is too far removed for direct action, it would be well to have a deliberative committee or council of administration in India formed of these four officers, with the Government officer as an ex-officio member, to act as chairman. These should meet as often as necessary to decide upon the various proceedings of the Company. The Agent of the Company should act as Secretary at all such meetings, and their resolutions, as well as the substance of their discussions, should be faithfully reported to the London Board and to the Government. The fact of the Government officer taking the most important part in their deliberations, need in no way disturb their proceedings, which have eventually to be sanctioned by the Local Government under the contract existing between the Company and the Government. There can be no objection to this principle, and it is submitted that the Executive Officers acting as a deliberative body, would be like our cabinet at home, which is composed of the members of the executive Government, each responsible in his own department. The working of such a body should be such as not to relieve any officer from the responsibility that belongs to his department, and votes should only be taken upon those general questions which must be submitted to the Home Board before any action is taken. The Government control would always check any strong headed individual who might be disposed to a pertinacious adherence to his own views. For instance, if the Locomotive Superintendent or the Engineer applied for approval for the supply of a quantity of stores or machinery, the deliberative body might perhaps disapprove of allowing what was asked for, and it would not do for him to say, if you refuse me what I ask, I will leave the responsibility with you. The deliberative body should be freed from such a pressure being put on them by the controlling power of the Government acting quite independent of the

deliberative council, although perhaps greatly guided by the discussion that took place, but not by the voting; and the Government would be supported in such control by the deliberative opinion of the council or body of Railway officers, whilst the deliberative Council would not possess the power of interfering with the individual responsibility of the heads of Departments beyond expressing their own views.

The modern Joint Stock Banks, which of late years have succeeded so well in India, afford a fair specimen of the manner in which Railway Companies' affairs should be conducted. There is a Manager or chief officer, a Cashier, and so forth. The duties of each are defined with the utmost care, and the success of all undertakings greatly depends upon the judgment with which these several duties are defined. The Manager presides at a deliberative Board of the officers, and they discuss and decide general things. Each officer is however responsible for what falls in the way of his own duty, and has to report all particulars in as great detail as if he never joined in deliberation on the subject, and the Manager has to do the same. All the officers are quite independent of each other, and thus the Board at home gets the real facts of every material circumstance transmitted regularly from each department in the special reports, also the results of the general deliberation of all the officers, through the general Manager, Secretary or Agent. The Home Board then sends out an Inspector once or twice a year to look into each department, and report upon the whole state of the Company's affairs.

Such particular caution is not necessary in the case of Railway management, owing to Government control being in force, but something like it should be observed. The Agent together with the other officers before mentioned, might do as the Manager and other officers of a bank do, and form a very effective Board of management.

The council of administration should be referred to by all the subsidiary officers applying for instructions, including the Store-keeper, the superintendent of Police, the local Solicitor and the Accountant, together with the tradesmen and all other parties that do not exactly come within the province of any single department. There would naturally grow from this practice sub-divisions for the dispatch of the different sections of business, and the members of the council would form themselves into committees for special enquiries, and principles of management or negotiation would be originated which would ultimately lead to as sound a system of administration as could be wished for or expected.

ART. VIII.—*Scripture and Science not at Variance.* By John H. Pratt, M.A., Archdeacon of Calcutta.—London: Hatchard. Calcutta: R. C. Lepage & Co., 1, Tank Square.

IT has often been noticed that, in the works of creation, along side of the ban is uniformly to be found the antidote. Of the truth of this remark the animal and vegetable kingdoms would at once furnish many striking illustrative examples. The evolutions of providence, in the history of individuals, societies and empires, would also supply their full quota of corroborative attestation. But it is in the kingdom of grace that the most conspicuous exemplifications may be found. Without trenching on the proper domain of a purely theological Review, may we not, in the interests of Literature, Science and Philosophy, boldly ask, when or where, during the last eighteen hundred years, has the poison of Infidelity insinuated itself in the shape of doubt, or cavil, or scoffing objection to the Bible as the only authoritative Revelation from God, without the healing balm or corrective being instantly provided, in the form of a cutting exposure, a triumphant reply, or fresh cumulative evidence of irresistible force?

At the beginning of last century, the frigid and withering Deism of Herbert, Hobbes, Blount, Galon, Toland, Shaftesbury, Collins, Woolston, Tindal, and Bolingbroke threatened not only to benumb, but utterly to consume the very life of Christianity, through the wide realms of Christendom. 'It has come,' wrote Bishop Butler in 1736, 'I know not how; to be taken for granted, by many persons, that Christianity is not so much as a subject of inquiry, but that it is now at length discovered to be fictitious. And accordingly they treat it as if, in the present age, this were an agreed point among all people of discernment, and nothing remained but to set it up as a principal subject of mirth and ridicule, as it were by way of reprisals, for its having so long interrupted the pleasures of the world.' It was this light and deriding state of the public mind which evoked the immortal 'Analogy of Religion,' with its unanswered and unanswerable train of argument.

At a later period the more subtle and philosophical scepticism of Hume called forth the slashing exposures of Campbell, Beattie, and other redoubted champions of the faith; while Judge Hailes and other eminent men laid bare the historical sophistries and malicious sarcasms of Gibbon; and Paley abbreviated and popularised the massive and voluminous demonstrations of Lordner.

But it is needless to enlarge on this subject. Suffice it to say, that no sooner was a blow levelled at the credit of Revealed Religion from any quarter—whether directed by the keen philosophism of a Hume, or the low buffoonery of a Paine—than it was instantly parried, repelled, and made to recoil with deadly effect on the breast of him who aimed it. It was this uniform result, redounding to the honor and unshaken strength of Christianity, which prompted Dr. Gerard of Aberdeen, to write his admirable Dissertation, entitled '*Christianity confirmed by the opposition of Infidels.*' 'It is,' says he in his preface, 'by such friction as seems at first sight likely to break it, that the diamond is polished and receives its lustre. In like manner, it is, by being fretted, as it were, that truth is made to shew the full brightness of its evidence. The trial distinguishes the true gem from the supposed one, which in the lump promised, perhaps, as fair as it. And plausible falsehoods are often as well received as real truths, till both have been subjected to an exact and severe examination; but the opposition of argument overturns the former, and renders the certainty of the latter more undeniable. No species of truth has been subjected to a stricter scrutiny, or tried by ruder opposition, than the evidences of our holy religion. As soon as this heavenly gem was presented to the world, both Jews and Heathens fell upon it with so great violence that, if it had had the smallest flaw, it must have been shattered into pieces. It has been in the possession of the world for many centuries; and numberless attempts have been successively made, to prove that it is a worthless counterfeit; but all these attempts have only contributed to evince with stronger evidence, that it is genuine.'

It is the truth of this assertion which our author undertakes calmly to examine, and by solid arguments to illustrate and establish. And what stronger proof could he have afforded of the truth and divinity of Christianity than this,—that the more various the lights in which it is viewed, the more narrowly it is inspected, the more violently it is assailed, the more scrutinizingly it is sifted down to the very foundations, by subtle and relentless foes, the more firmly is it found to be planted on a Rock, and the more gloriously does it shine forth in the effulgence of demonstrated heavenly verity? Still, for the Bible, with its high claims of Inspiration by God, there is no rest; and for it there can be no rest or peace, till, instrumentally through its influence, sin is banished from the habitations and hearts of men. Accordingly, in our day, besides a mushroom crop of old exploded objections, decked out in harlequin and pantomimic attire for the million, the real or supposed revelations of Physical and Metaphysical

science have been marshalled in hostile array against the Inspired word of God. But already have the anti-christian Rationalisms and Pantheisms of Germany met with merited rebuke and valid confutation from some of Germany's ablest sons; while the anti-Biblical misapplications of Physical Science, in France, Great Britain, and America, have been as deservedly rebuked and mercilessly exposed by men of learning and science, who glory in proclaiming their unwavering faith in the Oracles of God.

Scientific objections, formerly limited to the learned few, have of late been reduced into simple and compendious forms adapted to the tastes and capacities of the unlearned many, and hurled promiscuously into the multitudinous streams and streamlets of our popular literature. The results of recondite research, stripped of the cumbrous and prolix processes, by which they may have been reached, and which would be unintelligible to the multitude, are thus everywhere propagated, as if they were so many aphorisms or axioms of indisputable authority. And as English Education, apart from Revealed Religion, spreads in India, popular English Literature, tainted and polluted with the leaven of an insidious infidelity, is sure to gain increasing currency in educated native circles, and acquire, if not arrested, in time a preponderant ascendancy in their minds.

It was, therefore, a seasonable thought on the part of Archdeacon Pratt—a gentleman, well known to be thoroughly at home in the very highest walks of science generally, and especially demonstrative science—to take up the popularized scientific objections of the day against the Divine authority of Scripture, and answer them in forms, at once brief and level with the popular understanding. Nor has the thought been more seasonably conceived than felicitously executed. That such is the judgment of the reading public in England is clear from the fact that, within a short period of time, it has gone through *four* editions. The fourth edition, brought out within the last few months, is now before us, considerably enlarged and improved. Its contents are designedly of a miscellaneous character. It was not intended to be an original or exhaustive treatise on any one subject. It is purposely of the nature of a *portable Manual* of popular objections and answers on the subject of Scripture and Science. But, let it not be supposed, that, on this account, it is either flimsy or superficial in its texture or reasonings. On the contrary, it is the product of a mind profoundly conversant with the subjects treated of—a mind, therefore, capable of brushing aside all crudities, accessaries and irrelevances,—capable of seizing, at once, on the very pith and heart of each objection in succession, and of exposing its hollowness and deformity by

the touch of the Ithuriel spear of truth. It is impossible, carefully and candidly to peruse the volume, without feeling, at every step, that the reader is in the hands of a master. The very simplicity and translucency of its unadorned diction will be found only an additional proof of the writer's thorough comprehension of his subject, and of the perfect ease with which he can successfully grapple with it.

We think it due to the Author that he himself should be allowed to explain the *object* and *plan* of his treatise. This he does in an introduction which we here give entire :—

'The assertion, not unfrequently made, that the discoveries of Science are opposed to the declarations of Holy Scripture is as mischievous as it is false, because it tends both to call in question the Inspiration of the Sacred Volume and to throw discredit upon scientific pursuits.

Many, however, who are predisposed to reject such a conclusion, from a general conviction that Scripture is the Word of God, are nevertheless at a loss for arguments to repel the charge. It is the object of the following pages to furnish such persons with a reply, in a concise and portable form. The Treatise, therefore, is intentionally only a summary of arguments. To expand it, except by the addition of new illustrations, would defeat my design. A larger work would not find access where I hope this will.

There are others also whose case it is here designed to meet—those who receive the Christian Revelation, but, under the influence of supposed difficulties brought to light by scientific discovery, are tempted to abandon the Earlier Portion of the Sacred Volume as not inspired. It is possible that the unbeliever may find something in these pages, to soften his prejudices; but his case is not here specially contemplated.

My Treatise is, therefore, of the defensive kind. It is intended to show how difficulties are to be met and objections removed. Some hesitate as to the expediency of putting such books indiscriminately into the hands of the young, thinking them calculated to engender doubts where they never existed, and to create the very scepticism which they were intended to rebut. There is some weight in this; and, no doubt, were the mind never likely in after life to encounter the false-views of sceptics, it might be far better to leave it untainted. If the young could always be fenced around by truth, till its principles became so thoroughly infused into their minds and hearts as to make error innocuous when they go out into the wide world, to leave them ignorant of the different forms of doubt and unbelief till circumstances force them upon their notice, might be the better course. But it is next to impossible to protect them, even when under the wisest guidance, from becoming acquainted with, if not imbibing some of the mischief, which a refined scepticism—especially regarding the historical character and full inspiration of the Holy Scripture—is spreading far and wide through the press and other channels. If the hesitation regarding the propriety of teaching these things to the young arise from a dislike to see old and *prima facie* interpretations upset, such a course is most dangerous. By maintaining false and exploded interpretations as true, we are sowing in the minds of the young seeds of a future revulsion which is likely to injure them far more than the introduction of the new views at an earlier stage could possibly do. There can be no question that the safest course is conscientiously to teach the young the whole truth without reserve, not shrinking from stating in a plain

and open manner the various objections and difficulties they will hear broached, explaining to them at the same time in what spirit and by what kind of argument they should be met.

The fact is, that sceptics and semi-sceptics are, unwittingly or not, undermining the faith of many in Scripture by subtle arguments drawn from the apparent contradictions between Scripture and Science. Against this it is necessary to provide an antidote: and the better fortified our youth are in their earlier days, the better prepared will they be to contend for the truth in after life. It is not the Christian, but the worldly philosopher who has raised these questions. But having raised them, he forces the advocates of Scriptural truth to enter upon the contest, and to meet him on his own ground, that they may put a weapon of defence in the hands of those whose faith is in danger of being shaken.

In the First Chapter I bring the experience of the past to bear upon the subject, by showing how many examples history supplies in which from time to time Scripture and Science have appeared to be in irreconcilable conflict, but further light has cleared up all difficulty. From this I argue, that it is in the highest degree *unphilosophical*, whenever new difficulties arise in these days of discovery, to doubt that these also will be cleared up as light and knowledge advance. The experience of the past should encourage us fearlessly to carry our investigations into the phenomena of nature, fully persuaded that no real discrepancy can ever be in the end established. The above may be regarded as a negative argument.

In the Second Chapter I enter upon an examination\* of the character and contents of the earlier portion of the Book of Genesis; as it is in this part of the Sacred Volume that the seeds of strife between Scripture and Science are supposed chiefly to lie. By what I cannot but regard as an unanswerable proof of the historical character and plenary inspiration of these Early Chapters, and by a reference to their important bearing in various eminent particulars, I establish a positive argument, and show that it is *impossible* that Scripture, proceeding as it does from Divine Inspiration, and manifesting such superhuman wisdom and foreknowledge, can, when rightly interpreted, be at variance with the Works of the Divine Hand; and that therefore, if difficulties remain at any time not cleared up, they must arise from our ignorance, or from hasty interpretation either of the phenomena before us or of the language of the Sacred Record.

The results of this investigation are then summed up, and the conclusion drawn,—that no new discoveries, however startling they may appear at first, need disturb our belief in the Plenary Inspiration of the Sacred Volume or damp our ardour in the pursuit of Science.

It will be seen from the above sketch, that it is not necessary for the validity of my argument that every instance of apparent discrepancy between Scripture and Science shall have met with an explanation. It requires only, that so many instances of the successful removal of difficulties, which at one time appeared to be insurmountable, should be adduced, as to assure the mind under new perplexities, that there is every reason to believe that in time these also will vanish. The primary object of the *Treatise* is, not to solve present difficulties, but to create confidence in the mind, while in perplexity regarding them, that all will in the end be right, and that the harmony of Scripture and Science cannot really be broken, though it may for a time seem to be disturbed. In point of fact, however, I know of no alleged or apparent discrepancy between Scripture and Science which cannot be met by a decisive or at least satisfactory answer. The chief examples I have brought together in the following pages, and made them the groundwork of my argument. Had I known of any existing unanswered difficulty,



I should now have brought it forward as an illustration of the use of my principle. Had, for example, the astounding announcement of M. Bunsen and Mr. Leonard Horner, that the age of the human race is many thousands of years older than the Scripture narrative makes it, not yet met with a reply, I should have produced it, not, as in the present edition, doing homage to my argument, but as an example of the principle I have set forth, that we should wait, fortified by the experience of the past, and by an immovable belief in the inspiration of Holy Scripture, and feel assured that time would turn objections into proofs, and discrepancy into harmony."

Such, then, is the Author's object and plan—an object truly noble in its aim, and a plan skilfully executed. In vindicating the harmony between Science and Scripture by an appeal to the history of the past, the examples, adduced for illustration, are thus classified :—

1. 'Examples, from the Earlier History of Scientific discovery, in which Scripture has been relieved of false interpretations, and the harmony of Scripture and Science thereby re-established.

The Firmament—Antipodes—The Earth a Globe—The Motion of the Earth.

2. Examples, from the later History of Science, in which Scripture has not only been relieved of false interpretations, but has had new light reflected upon it from the discoveries of Science.

The Antiquity of the Earth—Creatures in existence before the Six Days—Existence of light before the Six Days—Death in the World before Adam's Fall—Specific Centres of Creation—No known traces of the Deluge—The Deluge probably not over the whole earth.

3. Examples, in which Science has been delivered from the conclusions of some of its votaries, and thereby shown to be in entire agreement with Scripture.

All men of one blood—Differences of nations since the Flood—Mankind originally of one language—Age of the human race according to Hindoo Astronomy—to Egyptian Antiquities—and to Nile-deposits—The six days' creation not confined to Paradise—The origin of species.

Having concluded his negative argument by demonstrating the invalidity of objections the Author next proceeds positively to exhibit '*the historical character, plenary Inspiration, and surpassing importance of the first eleven chapters of Genesis.*'

After having delated, in his usual lucid strain, on the various topics included under these heads, he winds up by asking,—

'What, then, are the results arrived at in the foregoing pages? They may be summed up under the following heads :—

1. That, through ignorance and hasty zeal, Holy Scripture has undergone many severe tests during the progress of Science, and has come through the trial in every case with triumph. The experience of the past has worked out this result, that through the whole course of philosophical discovery, Scripture and Science have never been found at variance, though they have often been charged with being so.

2. That Scripture speaks in human language, and according to its usages ; but in no case adopts the errors and prejudices of men, even in things natural. It speaks to us on such matters according to the appearances of things, that is, as things ARE SEEN, which is a way intelligible in all ages of the world. It speaks as man would speak to man in every-day life, even

on such topics, and in times of the greatest scientific light. It speaks not scientifically, and therefore does not adopt scientific terms, or give scientific views of things; but there is, nevertheless, no sacrifice even of scientific truth to human ignorance and prejudice.

3. That this harmony between Scripture and Science appears, not only from the abundant illustration it receives from the history of past conflicts through which the Sacred Volume has passed intact, but pre-eminently from the character of Scripture itself as the Inspired Word of God, and, therefore, infallible in every respect.

4. That the Earlier Chapters of the Sacred Volume, in which the seeds of variance have been supposed to lie, are of inestimable value to us; and the fact of their Inspiration must not be set aside on the pretence that Christianity would remain the same if they were blotted out; for they form a most important portion of the Divine Revelation, and convey inspired truths of the highest moment.

The grand conclusion, drawn from the whole, even in these days of advancing knowledge, is this, *'that no new discoveries, however startling, need disturb our belief in the plenary Inspiration of Scripture, or damp our zeal in the pursuit of Science.'*

Our main subject being to introduce the work to the favourable notice of our readers, we have neither space nor scope for any lengthened critical remarks. With the tone and spirit which pervade it throughout we cordially sympathise. It is genial and kindly, without being slobbered with the mawkishness of a simpering sentimentalism. It is courteous and gentlemanly even towards unscrupulous antagonists, while yet unweakened by the compromises of a spurious liberality. It is fearless and inflexible in its maintenance of the sacredness and authority, the plenary inspiration and infallibility of Jehovah's Holy Oracles, without stooping to the hackneyed phraseology of acrimonious controversy, or degenerating into the fierce and fiery invectives of resentful partizanship. With his mode of conducting the argumentative parts of the discussion we are equally pleased. It is characterized by fairness, candour and straight-forwardness. It shirks nothing; it evades no attack; it glosses over no difficulty. And yet in every instance, the objection, presented in its fullest force, is either effectually parried or triumphantly refuted.

The only case in which we might slightly demur, is our Author's treatment of the Mosaic Deluge. Of late, Dr. Pye Smith, Hugh Miller and other men of undoubted science and piety, have cut the tangled and intricate knot of manifold difficulties, by adopting the theory of a Partial Deluge; and our Author appears not disinclined to the adoption of the same view—taking special care, at the same time, to shew that it meets all the absolute requirements of the Mosaic Record. We confess, however, that we are not yet quite prepared to

abandon the universality of the Deluge, according to the most obvious interpretation of scripture language. Geologically considered, the gradual submergence and subsequent emergence of whole continents is not incompatible with the past history of our globe and its stupendous cataclysms, as recorded in the testimony of the Rocks. And to the Arm of Omnipotence the greater miracle is as easy of accomplishment as the less. Doubtless to the poor bewildered vision of Human Science, yet wrapped in its swaddling bands, formidable difficulties do present themselves. But even these admit of a possible if not probable solution. And if they did not, we would rather insist on the yet unsettled and immature state of the Natural Sciences chiefly concerned, and wait till their inductions and generalizations approximated to something like certainty. Geological theories, in particular, have hitherto too much resembled Bishop Berkeley's ghosts of evanescent quantities; they seem as if framed for startling people in the dark, and then disappearing like 'the baseless fabric of a vision.' In our own day, the celebrated author of the '*Reliquiæ Diluvianæ*' lived to renounce his former views on the subject of his great work, and to recall it. The famous theory of Sir Charles Lyell, and other eminent geologists, which gave the designations of Eocene, Miocene, and Pleiocene to the several divisions of the upper Tertiary period, has, by recent more accurate observation and discovery, been shaken to its base. While, therefore, unhesitatingly recognising the leading facts presented by geological science, we cannot accept many of the doctrines founded thereon by geologists as *demonstrated truths*. They are as yet, to a great extent, only plausible inferences, or merely probable deductions, often based on, or interlinked with, ingenious assumptions, rather than *ascertained or actually verified conclusions*. And amid such scientific uncertainties, we deem it, on the whole, more philosophic to wait for further light, ere we finally relinquish our old belief in the universality of the Mosaic Deluge.

In some other instances, not only has the objection been shewn by our author, to be utterly groundless, but it has been rendered tributary to confirming the literal truth of Scripture. \*

For example, how often has the Mosaic account of the confusion of tongues been made the subject of profane ridicule? How often has the variety of languages been alleged to be so great, and their differences of character so wide, that it is inconceivable that mankind should ever have been of 'one language and of one speech?' Now what has been the result of the most searching philological inquiries on the subject? 'Baron von Humbolt,' says our author, 'the Academy of St. Petersburg,

Menon, Klaproth, and Frederic Schlegel, have all come to one conclusion, by a comparison of languages, that the further philological inquiry has been carried, the more numerous are the indications that *all languages must have been originally one.* Nor is this all. 'While the numerous languages which have been examined, and which were at one time thought to have almost nothing in common, are found to be closely allied to each other in grammatical construction, when belonging to the same family, at the same time philologists have decided, that the families have such differences as no principle of ordinary growth or expansion from a common origin can account for.' Accordingly, Herder, Sharon Turner, Abel-Remusat, Niebuhr, Balbi, and other Linguists have come to the conclusion, that 'there are evident internal proofs that the separation into different tongues must have been by *some violent and sudden cause*,—and that 'nothing but a violent change, caused by some force from without, can have created the distinct differences which now exist, if these families are the broken fragments of a once undivided whole.' In other words, in the deliberate judgment of the most renowned philologists, the actual existing phenomena of language demand the intervention of some such violent change as that of the Babel catastrophe, in order adequately to account for them! How singularly then, do 'all the results of investigation which can be considered of scientific value tend to support, and illustrate the scriptural account of the miraculous confusion of languages which led to the dispersion of the descendants of Noah upon the face of the earth!'

This leads us to remark, what we have often thought, that the preternatural occurrence at Babel is not only sufficient to account for *the diversity of language* but also, for *the diversity of race.*

Anatomically, physiologically, intellectually and morally, the race of man has often been proved by Prichard, Smythe and others to be but one. And our author has, with his wonted condensing power, furnished a brief but clear summary of the facts and arguments which go to prove the consistency of all existing varieties with original unity of race. Still, granting the physical possibility of all men being from one original stock, and making all due allowance for the potency of climatic and other influences, in modifying the human constitution, it has been questioned, whether, according to Scripture chronology, there was a sufficient time for bringing about the radical changes which are known, from the old Egyptian monuments and paintings, to have existed at least within a thousand years of the Deluge. The ordinary considerations adduced by our

author are enough to blunt the edge, if not wholly remove the difficulty. To these he has also added one, which is too often forgotten, viz., 'that it is a mistake to assume, that the population of the earth began again from a *new single centre* after the Deluge. Eight persons repopled the earth. There is no evidence that Shem, Ham and Japhet had not in them elements differing as wide as the Asiatic, the African, and the European differ from each other. They may have married too into different (antediluvian) tribes, and their wives have been as diversified as themselves. It is, then, altogether gratuitous to assert, that the races, which now exist, must be traced down from one man Noah, as from a new starting point. This at once carries our range of time, 1,700 years further back, to the days of Adam, for the operation of the causes of change; and the objection is entirely removed.'

If, however, the aggregate of these considerations and suggestions do not satisfy the determined doubter; if anything be thought by some to be still wanting to complete the chain of counter-evidence; may it not be found, fairly and legitimately, in the direct and preternatural exertion of Divine Power at Babel? One avowed object of the congregated host of rebels was to defeat the divine purpose of dispersion over the face of the earth. One grand object of the confusion of tongues was to effectuate and expedite that dispersion. And as the Almighty never does anything by halves, are we not warranted to infer, that, besides the immediate change in the organs of speech, there were then miraculously impressed on the human frame such other constitutional peculiarities as might rapidly issue in those diversities of complexion and structure which constitute the different varieties of race, and which were indispensable to adapt these varieties to the several zoological provinces respectively occupied by them? This additional consideration we would, though with all diffidence, recommend to the attention of our excellent author, in the event of a new edition of his admirable treatise being soon called for.

On the compatibility of the vast and unknown antiquity of the globe, as unfolded by geological science, with the recency of the Adamic creation as recorded by Moses, our author's remarks are just and conclusive. In common with all enlightened expositors of our day, he regards the first verse of Genesis as a distinct and independent sentence, in which we have a sublime announcement of the first fiat of the Creator in calling matter into existence; and a solemn protest, by anticipation, against the Atheistic doctrine of the eternity of matter, as well as against the Pantheistic doctrine of deduction or emanation

from the substance of Deity. This primary and absolute origination of the material universe, is, by the Inspired Seer, declared to have been 'in the beginning;' but *when* that 'beginning' was, is not told. For aught that the record contains it may have been numberless ages anterior to the detailed operations, subsequently described,—thus leaving a period of indefinite length for endless geological revolutions and catastrophes between the original act of creation and the last organization of the elements for the abode of man. This happy reconciliation of the demands of geological science with a fair interpretation of the Mosaic narrative, was, in our day, first suggested by Dr. Chalmers, in a Review of Cuvier's Theory of the Earth, which was contributed to the Edinburgh Christian Instructor as far back as 1814. On his part, this view of the opening verse of Genesis, now all but universally adopted, was the intuition of a profound sagacity.

The view, however, though original, as respects Dr. Chalmers himself, and the world at large when he first propounded it, is not, in reality, *new*. In meeting the cavils of objectors, who are ever apt to allege, that new interpretations are forced upon us merely to save the credit of the Inspired Volume, it is interesting, and, indeed, extremely important to observe, as a well known Lecturer has well remarked, how 'the early Fathers of the Christian Church should seem to have entertained precisely similar views; for St. Gregory Nazianzen, after St. Justin Martyr, supposes an *indefinite period* between the creation and the first ordering of all things. St. Basil, St. Caesarius, and Origen are much more explicit.' To these might be added Augustine, Theodoret, Episcopus, and others, whose remarks imply the existence of a considerable interval 'between the creation related in the first verse of Genesis, and that of which an account is given in the third and following verses.' In modern times, but *long before* geology became a Science, the independent character of the opening sentence of Genesis was affirmed by such judicious and learned men as Calvin, Bishop Patrick, and Dr. David Jennings.

\* Might not important facts like these, in a new edition of our author's work, be advantageously noticed, either in the text itself, or in a foot note?

On the most vexed question of all, that of the six demi-urgic days, our author's trumpet gives no uncertain sound. Most of our Scientific Bible Reconcilers have considered these days as geologic periods of unknown length. Not so our Author. Against this view he stoutly contends. In his judgment—a judgment in which we cordially concur—the first chapter of

Genesis, does not pretend (as has been generally assumed) to be a cosmogony, or an account of the original creation of the Material Universe. The only cosmogony which it contains, in that sense at least, is confined to the sublime declaration in the first verse, *In the beginning God created the heavens and the earth.* The Inspired Record, then stepping over an interval of indefinite ages, with which we have no direct concern, proceeds at once to narrate the events preparatory to the introduction of man on the scene, employing phraseology strictly faithful to the appearances which would have met the eye of man, could he have been a spectator on the earth of what passed during those six days.'

According to this view of the subject, the six days are six ordinary natural days, measured, like any other natural days, by the revolution of the earth on its axis. The grand objection to this literal interpretation of the 'days' was the supposed geological discovery of 'multitudes of pre-Adamite fossils in the Upper or Tertiary Strata, which are precisely the same as species now in existence.' At length, however, the late M. D'Orbigny, after an elaborate examination of prodigious numbers of fossils, 'has demonstrated that there have been at least twenty-nine distinct periods of animal and vegetable existence, that is, twenty-nine creations separated one from another by catastrophes, which have swept away the species existing at the time, with a very few solitary exceptions, never exceeding one and a half per cent. of the whole number discovered, which have either survived the catastrophe, or have been erroneously designated. But not a single species of the preceding period survived the last of these catastrophes; and this closed the Tertiary and ushered in the Human Period.' In other words, 'between the termination of the last or Tertiary Period and the commencement of the Human or Recent Period, there is a complete break. Although five in every seven genera are the same in the recent as in the previous period—there is not a single species common to the two periods. Thus the difficulty wholly evaporates'.

What an additional proof is this of the assertion already made; that Geology is still but in its infancy; and that many of its vaunted conclusions are no more than unverified hypotheses? We confess we never liked the Period-day theory and could never see our way to an intelligent adhesion to it. Before adopting it as a final and satisfactory solution of the difficulty, we preferred to pause and wait for further light. That light has now happily dawned, or rather shone upon us, through the decisive demonstrations of M. D'Orbigny; and we are

now enabled to plead the latest and most accurate results of Scientific investigation in favour of the six days, as six natural days, of the creative and formative work of which, the seventh, or sabbath is the rightly fitting periodical commemoration.

In connection with this subject our author has been led to notice and expose some of the 'hazardous assertions' so groundlessly made by two of the writers in the new, strangely and unworthily celebrated volume of 'Oxford Essays and Reviews;' as well as their unfairness or disingenuousness, if not down-right dishonesty towards himself. By actual quotations he has shewn that the late Professor Baden Powell, in his unhappy zeal against the authority of Divine Revelation, has *made him say the very reverse of what he did say*;—and that Mr. Goodwin also has inexcessably mistaken and misrepresented some of his most clearly enunciated views. Of the volume, containing these mistakes and mis-statements with a thousand others still more pernicious, the less said the better; in itself it is not assuredly any thing very formidable. Quite the contrary. It is in sober and sad reality, one of the poorest, dreariest, driest, dullest, most incoherent and inconsequential products of the mint of modern infidelity. From beginning to end we have not been able to detect in it a single sentiment, statement, train of argument, inference, conjecture, or even gratuitous averment that has the remotest title or pretention to originality. It is neither more nor less than an *unskillfully hashed-up and imperfectly re-heated medley of the stale and oft-refuted sophisms and perversions of the English Deists, French Encyclopedists, and German Neologians*;

We are glad to find the author, in a valuable 'Postscript' added to this edition, dealing out some heavy and even smashing blows at the late Baron Bunsen and other Egyptologists of his rationalizing school;—men, who, with fatuous inconsistency, evermore evince the most senseless scepticism relative to the credit and authority of the Mosaic History—beyond all measure the most multifariously authenticated record of all Antiquity—while they evince an equally senseless credulity relative to some obscure, mutilated, contradictory fragments of the heathen Manetho, and some slender hieroglyphic skeletons of names 'half-guessed at and half decyphered by a doubtful means of interpretation.'

There are other subjects on which we would fain make some remarks—more especially the latest spawn of a thinly disguised Infidelity, Darwin's *Origin of Species*, with its 'struggle for existence' hypothesis and its 'Natural Selection' surmise, on which our author has favoured us with some very judicious



comments. But our space is fairly exhausted and we must pause. If any further evidence were wanted to prove the divinity of the Mosaic account of the creation, it might be found in the contrast which it presents to all the cosmogonies of heathen nations, unfavoured by the light of Inspiration. Let any intelligent reader open the Institutes of Manu or the Vishnu Puran, and compare, rather contrast the cosmogonies so minutely and elaborately wrought out there in defiance of science and common sense, with the simple, compendious and sublime narrative of Moses, and we venture to affirm that, after a careful and candid perusal, he will be more than ever disposed, with reference to the latter, to exclaim, 'Verily the finger of God is here.'

With our author we now part, under a confirmed persuasion that in his work on 'Scripture and Science not at variance' he has rendered good service to the cause of Biblical truth. To all Christian heads of families, to all Christian managers and teachers of schools, we, therefore, earnestly recommend his most interesting and precious volume. Some of the objections therein exposed they may never hear of as actually urged; and others may be regarded as too contemptible to merit a serious hearing. But let it be remembered that the volume of Archdeacon Pratt is purposely of the nature of a *miscellany*—representing the thoughts, the whimsies, the speculative conjectures, and the crude unverified hypotheses of different and even antagonistic schools of infidelity. Such a volume, therefore, ought to be kept in every private and public Library, as an armoury of weapons wherewith to repel the onslaught of old objections, and a magazine of examples illustrative of the most successful modes of resisting the aggression of new ones.

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## CRITICAL NOTICES

OF

### WORKS ON INDIA AND THE EAST.

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*A Grammar of the Pukhto, Pushto, or Language of the Afghans.*  
By Captain H. G. Raverty, 3rd Regt. B. N. I. Second Edition,  
Hertford: Stephen Austin. 1860.

'Beauty' the poet tells us, 'is not, as fond men misdeem, An outward show of things that only seem.' That is, to put it prosaically, though a handsome face and a fine figure never fail to make a good impression, if the lady, on closer acquaintance, should be found to make havoc of her h's, to be very bad tempered, and to believe in Joe Smith and spiritual rappings, our feeling of resentment will probably be greater than if she had less attractions. If any thing could bribe one to study Pushto, it ought to be the exquisite manner in which the volume named in the margin has been got up. The whitest paper, the blackest ink, leaded types, careful printing, a generous margin, are points of almost irresistible charm, and contribute their full share in keeping up the well-deserved fame of Stephen Austin's printing office. But on examining the volume we are deterred from giving ourselves to Pushto by the author's sad experiences. He says, 'After having devoted seventeen of the best years of my life, and expended much money in acquiring, *more or less*, a knowledge of nine Oriental languages, I find that the pursuit has never brought me advantage or advancement.' The Punjab Government, it appears, kept the meritorious author down. A thousand pities. But he knows how to requite good for evil. He is convinced that the Kabul disasters were due to the non-existence of his Grammar, and is quite certain that any future complications in that quarter will readily be obviated, or at least mitigated through his labours. He hastens therefore to present us with his books, as Dost Mohamed, he informs us, may die any day. Thanks!

But a gift may be unacceptable; it may be worthless. Is Capt. Raverty competent, with all his devotedness, to teach us Pushto? He introduces himself to the public quite freely, somewhat like the great Mulligan, Mr. Titmarsh's friend. He gives us, in his copious prefaces and introductions, written not in Pushto, but in plain, though not very good, English, an insight into his mind, talents, and abilities. A grammarian should above all possess the analytical faculty, a faculty closely allied to the logical faculty. This he is glaringly destitute of. Let us take a few examples at random. He wishes to prove, for instance, that the Afghans are 'the lost tribes of the house of Israel;' and he does prove, to almost every body's satisfaction, that they *claim* to be of the tribe of Benjamin, not one of the 'Lost Tribes' at all. He sets out to prove that Pushto does not belong to the 'Indo-Teutonic' family of languages, and the first argument he uses is that it contains a great number of Zend, Pehlvi, and Persian words and that it bears a great similarity to the

MARCH, 1861.

a

modern Persian, all these being 'Indo-Teutonic' languages. He says that 'the Pushto pronouns bear no similarity whatever with those of the Sanskrit family,' as the reader will at once see.

	Sanskrit.	Zend.	Greek.	Latin.	Slavonic.	German.	English.	Pushto.
First person,	ma.	ma.	me.	me.	mja.	nich.	me.	mi.
Second person,	twa.	thwa.	te.	te.	tja.	dich.	thee.	to or di;

And even in the third person, which is usually more difficult to recognize, *de* in the nominative, philologists will at once recognize as identical with the Greek, German, and English article; and *ye*, the oblique case, as the Prakrit *am* Latin *se*, and the Zend, Greek, and English *he*.

But then, a man need not be a logician after all, nor even a philologist to teach us a language which he knows: and Captain Raverty tells us that Pushto is not difficult. Why then does the grammar extend to 200 quarto pages? It ought to be very knotty and crabbed indeed to require or even justify such an unreasonable length. We fear we must be plain. The book is an imposition. It smells of Grub Street from beginning to end. It has very little to recommend it to a *bonâ fide* learner. Capt. Raverty in his prospectus solicited subscriptions for his works on the ground that they would be 'curiosities in literature.' He has kept his word; the grammar certainly will establish his character for veracity. But it is destitute of every element that could make it useful to an inquirer. Its facts are false, its rules are incorrect, its method is utterly at fault, and system it has none.

It is not that the author is ignorant of Pushto. On the contrary, considering the disadvantages of his position, for out of the 'seventeen years' he did not spend one on the Afghan frontier, his knowledge of the language is very great; the mere collection of his illustrative examples betokening a variety of reading which is astonishing. But partly from the absence of original training, and perhaps more from the vast display and parade got up to hide, if possible, the original defect, the grammarian has made a decided *fiasco*. The way in which he uses grammatical terms, sometimes Arabic, sometimes English, reminds one very much of a child playing with edged tools; he has but a dim preception of their real use, and the looker on becomes quite nervous, lest the man should cut himself; and he does cut himself. He speaks of conditional and optative *tenses*; he has a thing he calls *Future Indefinite*, of which it is hard to tell, what it is; he sports an *Aorist*, which on inspection turns out to be the Subjunctive Mood; he has a 'noun of fitness,' which common people would call a Gerund; 'I should do' he calls the future; he recognizes two forms of the Imperative, but has no idea that the one is the present Imperative, and the other the Aorist Imperative; the verbal noun (it is really the old Infinitive, and usually ends in *an* or *ana*, as one might expect from a comparison of the Sanskrit, Hindi, Greek, Persian, and German languages, though one of Capt. Raverty's great arguments is that there is no similarity between the Infinitives of these languages) his verbal *noun* he call the Present Participle. There is a startling announcement (p. 46) that certain three prepositions are used as demonstrative pronouns. Certainly Pushto must be a difficult language, if prepositions perform such antics. But in vindication of Pushto we must state that it is the grammarian who performs the surprising feats, not the harmless parts of speech. This statement is equivalent to saying that the German prepositions *von*, *an*, are used as articles when

they are spelt *vom*, *am*, or that the French preposition *de* stands for a demonstrative pronoun when it is written *du*. Capt. Raverty does not see that the insignificant vowel mark, which he is obliged to put after his curious prepositions, is the pronoun, and that the preposition remains a preposition.

His English style is so bad that his rules are mostly unintelligible. He repeatedly says, 'thou becometh' 'thou seizeth' and the like; he constantly mentions 'words with prepositions and postpositions' 'prefixed'; that latter seems to be quite an easy operation with him; he speaks of 'extrinsic friends'; he obtains, 'assistance from the *potentiality* of the spirit'; he says 'after having explained the past tense so fully, the imperfect is easily described.' And when his rules are intelligible, they are sure to be wrong, or, at least, misleading to one who simply seeks instruction. Sometimes the example he adduces, refutes his rule, as in Sec. 90, and many other places. And then his radically incorrect views about pronouns, and his inability to understand the construction of the past tenses, vitiate almost every page. How little he understands the structure of the Pushto sentences, may be inferred from the principal rule which he gives on the subject (p. 108). 'The object must be in the nominative, and sometimes in the dative (!) and the agent in the instrumental case.' That is odd. The nominative is the object, and the agent is the instrumental; then where in the world is the subject? Even Capt. Raverty would find it difficult to construct a sentence without a subject. A very large part of the volume, more than a hundred pages, is taken up with so called rules for the formation of the tenses, which are totally useless, as after telling how many different methods there are of forming a certain tense—if the word 'method' can be properly applied to any thing in this book—he does not in a single instance give a list of the verbs belonging to any one of his classes, nor does he ever point out a mark by which they are to be recognized. Indeed, he has no less than *thirty-seven* conjugations. This is simply mocking the poor inquirer who comes to him for advice. Classification is confessedly a difficult subject, but if Capt. Raverty had no more power of generalization than is manifested in his leaving the Pushto verb in an anarchy of thirty-seven divisions, he should not have usurped the dictatorship; *aut Caesar aut nullus*; he is evidently not *Cæsar*. He does not even tell the reader always that the verb, which he gives as an example in one or another of his conjugations, is the only one of the kind. The same may be said of a subsequent chapter, that on the derivation of words, in which the value of his rules and the sinful waste of good paper may be seen at a glance. He states lucidly, 'Abstract nouns may be obtained from adjectives, in eight different ways; and then he enumerates them. But it so happens that besides the single example which is given under the head of the first four rules, there is not another adjective in the language which forms its abstract in the way indicated; of what use then are these four rules? A little reflection, moreover, would convince any one that even the alleged derivation is purely imaginary.' He goes on, in the same chapter: 'VI. This form is *something* similar to the fourth' Why? By rule IV. *tor* 'black' formed *tydrá* 'darkness, and by rule VI. *tor* 'black' forms *torwde* 'blackness.' Striking similarity; very much like Sambo and Pompey, who were very much like each other, especially Sambo.

The oblique cases of the personal pronouns bother the author very much; he has made the discovery that 'they have no meaning separate from the verb,' which is a pure absurdity, if it means anything, an oblique case of anything implying something upon which the case depends. Then he has what he calls 'affixed personal pronouns,' and refers to the Arabic and Persian as analogous. A pronoun which is *affixed* (as is the case in the Semitic languages) implies that the word to which it is affixed is a word without

this affix, but on separating Capt. Raverty's 'affixed pronouns' from the words which he adduces as examples, the latter cease to be words altogether. The fact is that he mistakes the common personal terminations of the verb for pronouns; he virtually calls the terminations, for instance, *am, as, at*, in the Latin *agam, agas, agat*, 'affixed personal pronouns.' There is no doubt that these terminations were pronouns originally, as philology has proved long ago, but our gallant author is so totally innocent of anything like philology, that he can hardly even be presumed to have blundered into the truth by mistake; besides that the enunciation of a theoretical truth like this would be out of place here. The mistake is probably the most serious in the whole production, as it destroys whatever value the bare paradigms of the transitive verbs might have had. Whole pages are utterly ruined by this sad botchery. And the matter is so vital that this baneful error alone is sufficient to damn the book. What would be said of a Latin grammar that went on conjugating page after page *a me laudatur, a te laudatur, ab eo laudatur*, and did not give the smallest hint of the existence of the forms *laudor, laudaris, laudamur, laudamini*, and so throughout all the tenses? This is precisely what the ingenious author has done.

The principal value of this grammar might be supposed to consist in its copious illustration by examples taken from a considerable range of authors. And Capt. Raverty certainly deserves the highest credit for the industry and perseverance with which he has collected this store of material. Our admiration, however, would be more unalloyed, if we were sure that the author thought the examples necessary for the explanation of his doctrines, and if there were no ground for believing that they were collected rather for book-making purposes. The examples themselves would not create this suspicion so much as the manner in which they have been translated. In a grammar, bare, bald, literal translation is all that is required, but that is essential. Ornament would not only not be expected, but would be utterly unsuitable, and would materially impair the usefulness of the work. Capt. Raverty has permitted himself to be carried away by an inconsiderate vanity, and has wretchedly marred the best, almost the only good, feature of his production. The student will often get more assistance from an unadorned, faithful translation than even from the best rules; hence in Capt. Raverty's grammar such translation would have been of tenfold value; but what is the perplexed inquirer to do, when, instead of literal rendering of word for word, he finds most nauseously diluted paraphrases, got up quite regardless of expense, which however are of no use to any one except to the grammarian, who no doubt each time that he had achieved one, took a step backwards, gazed at his creation with fervent admiration, put his head slightly on one side, and exclaimed, 'Isn't it pretty?' Let the reader look for instance at the first example in p. 95, with its 'Phoenix of one's desires,' and 'the immortal bird.' Or take this hemistich of five words: *If a devotee be ill*—five words also in the original; the Bombay Captain renders it in the third-rate reporter style: 'If a man in the constant habit of praying may become afflicted with sickness.' For a 'rose' he says 'queen of flowers;' for 'birds' he says 'feathered race,' for 'wine' 'juice of the grape,' and so on to an incredible extent. There is a couplet of Hamid's in p. 94 also, the literal translation of which is: 'When his justice's sun did set, the dark night of oppression rose, the land became dark;' which Capt. Raverty sweetly beautifies thus. 'Since the bright luminary of his equity and justice *hath* set, the black night of oppression *has* set in (!), and filled the land with darkness.' What is the learner, who is not supposed to have spent seventeen years on Oriental languages, to make of such elegance? He wants bread, and the grammarian gives him—not a stone, but—wind. The reader will also observe

that in the example just cited 'justice' is rendered by 'equity and justice'; on the same page he will find 'carelessness and inadvertency' where the original has only *neglect*; and so he will find throughout the book such gominous and even tergeminous renderings to the number of at least two hundred. *Cui bono*? Is it to exhibit the author's opulence of diction? such an exhibition, we fear, would be lost on the frontier officers whom Capt. Raverty expects to use his grammar. Or is it that Capt. Raverty has so little confidence in the expressiveness of his own tongue that he must use two or three words, where one has sufficed the Khatak or the Afridi? Or is it that he wishes to give the purchaser his guinea's worth of type and paper and twaddle? One might forgive this and put it down as an unavoidable idiosyncrasy of the enthusiastic hierophant of Afghan mysteries, were there not other offences in his translations less pardonable: words omitted, sentences transposed, sense distorted, with a most reckless disregard of the wants of his pupils. It is absolutely harrowing to think how some young officer of the P. I. F. at Bahadur Khel or Tak will try to beguile his solitude with a dip into this handsome volume, and will be puzzled and bewildered by the heartless cruelty of Capt. Raverty.

This notice has already become too long, so that we can give no more extracts; but some translations are so bad that they raise a doubt as to the author's knowledge of the language. In p. 72 a line reads, 'though his house or goods be spoiled;' Capt. Raverty renders, 'whether his dwellings be sacked and pillaged, or filled with wealth and goods.' There is nothing in the original to correspond to the second clause, though it is easy to see that the translator was led wrong by the position of words in the Pushto line, which is, 'though his house be spoiled, or goods'; a grievous blunder, at best. P. 111 'Like as one forgetteth a deceased person of hundred years;' the original says, 'as one forgets a person dead a hundred years.' P. 119. 'This unembellished firmament became adorned with ornaments and embellishments; which the diamonds of omnipotence and power have carved.' Delicious! The diamonds have probably taken the head of the table. Besides mistaking the construction, as usual, he also reads *kandile* for *gandile*; the proper translation of the second line is simply: 'Embroidered with the gems of his power.'—But enough.

As far as the study of Pushto is concerned, it is really to be regretted that Captain Raverty turns out a charlatan, and all his statements of fact or science must be taken *cum grano salis*. He publishes (p. viii.) to the world that it is impossible for any one on the North West Frontier to know Pushto. He is as much mistaken in this, as when he calls the Prophet's flower a violet (p. 100), or derives the name of the Pathans from an imaginary place called *Pash*, and an impossible word *tin*. There are officers from whose pen we should like very much to see a concise grammar of the language of the Afghans. We have heard Captain James deliver a long address in Pushto, which was a model of idiomatic ease and vigorous native eloquence? Colonel Lumsden is said to be second to none in his knowledge of the language; or if Colonel Vaughan could be induced to prepare a second edition of his Grammar, it would be of great assistance. As it is, we do not hesitate to pronounce Vaughan's Grammar as an introduction to Pushto far preferable to the book here noticed.



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Presentation Groups, Vases, Tankards, Salvers, Racing and Yachting Prizes, Ice Pails with covers, Candlesticks, Candelabra, Shields, Plateaux, Epergnes, Flower Stands, Goblets, Bottle Holders, Cheroot Carriages, Drinking Cups, Fire Holders, Snuff Boxes, Mugs, Beer Mugs, Bottle Waggon, Bottle Stands, Ink Stands, Toast Racks, Egg, Bolders, Silver Egg-shape Tea-makers, Canteens, Hookahs, Saucepans, Muffineers, Cigar Cases, Claret Jugs, Bread Baskets, Liquor, Cruet, Pickle, and Egg Frames, Dinner, Dessert, Breakfast and Tea sets, plated Dish covers, at 120 Rupees per set of 4, &c. Communion Services, &c., &c.

## TABLE ORNAMENTS.

Very beautiful Figures, Groups, Vases, Bronzes, Paper weights, Cigar Boxes Watch Stands, Essence Cases, Trinket Boxes, &c. &c.

## BOOKS.

Bibles, Church Services, Engagement Books, &c., in beautiful M. O'Pearl and Russia with covers.

## MISCELLANEOUS.

Swords, Dirks, walking & riding Canes, Crimean Cases, travelling Canteens for one or more persons, Ladies' and Gentlemen's Dressing Cases, Work Boxes, and Jewel Cases in great variety, with silver and plated mounting for Travelling, &c., (from 10 to 300 Rupees.) Patent silvered and coloured Drinking Cups, Flower Vases, Ink Stands Muffineers, Salt Cellars, Paper-weights, Globes, &c., Candelabra in silvered glass, Letter Scales, &c. &c.

## TABLE PLATE.

Silver and Electro-Plated Articles made to design, and with the quickest despatch. Old Silver Plate remanufactured into Dinner, Breakfast, and Dessert Sets, Spoons, Forks &c. Prices: for Cash payments Plain patterns at six annas per tolah. For 3 months credit at eight annas per tolah. Chased and Embossed patterns at proportionate rates.

## AVERAGE OF WEIGHTS AND PRICES.

SILVER PLATE.						
Weights in Toлахs per dozen.	Light Fiddle.	Coburg.	Fiddle.	Threaded & 1 shell.	2 Shell.	King's.
Table Spoons and Forks . . . . .	66	66	80	90	98	108
Dessert Spoons, ditto . . . . .	42	48	52	60	60	72
Tea Spoons . . . . .	18	21	25	30	32	30

\*.\* All other Articles of Table Plate manufactured in proportionate weights.

Breakfast Sets at 300 Rupees and upwards according to patterns and weights.

ELECTRO-PLATE.								
Reduced <i>cash</i> prices per dozen.	Plain 2nd quality.	Plain.	Threaded.	Shell and threaded.	Lily.	King's.	Coburg.	Albert.
Table Spoons & Forks.	20	27	36	39	39	42	46	44
Dessert Spoons, ditto.	14	21	30	30	30	32	34	34
Tea Spoons, ... ..	10	14	18	18	18	21	21	24

♦ ♦ ♦ All other Articles of Electro Table Plate at proportionate rates.

Every description of article re-plated in the best style and at moderate prices. Designs, Estimates, and Illustrated Catalogues furnished on application.

TERMS.—Three months' credit, or Ten per Cent. Discount for Cash off credit price. Interest will be charged at Ten per Cent. per Annum after three months' credit.

HAMILTON & CO.,

ESTABLISHED 1833.

**C. LAZARUS AND CO.**  
**CABINET-MAKERS AND UPHOLSTERERS,**  
 BY APPOINTMENT TO  
**HIS EXCELLENCY THE VICEROY**  
 AND  
**GOVERNOR GENERAL OF INDIA,**  
**Billiard and Bagatelle Table Manufacturers,**  
 49, 54, AND 55, COSSITOLLAH,  
**CALCUTTA.**

HAVE ALWAYS READY A LARGE STOCK OF BOTH  
**USEFUL AND ORNAMENTAL FURNITURE.**

An Inspection of which they respectfully solicit. C. L. & Co. beg to state that their Furniture is both as regards the materials used and care bestowed during the manufacture, equal to any in India; while their charges are regulated with the strictest economy, so as merely to afford a small remunerating profit on the outlay.

*Catalogues forwarded on application.*

**JOHN CAMERON & CO.,**  
**Coach Builders,**

**133, Dhurumtollah, and 109, Jaun Bazaar Street, Calcutta.**

JOHN CAMERON begs leave to return his grateful thanks to the Public and his old Friends, Civil, Military, and Mercantile, for the many years' patronage they have given him, now over thirty years,—the oldest practical Coach-builder in India,—and solicits a continuance of their kind patronage.

John Cameron will carry on the Business as heretofore, under the name of John Cameron and Co., and ready at all times to undertake any orders that his Patrons may favor him with. The cheapest practical European Coach Builder in India.

**NEW WORK.**—Cash on completion before despatch. If on credit a special agreement to be made.

**REPAIRS.**—Monthly bills or special agreement. No discount allowed on Estimates or Repairs.

Gentlemen requiring Price Lists or drawings of Carriages, will have them sent without delay to any part of the Country.

His work is well established as second to none for Material and Workmanship. The European Materials imported from the first Manufacturers in England.

Carriages received for sale on Commission. A Commission of 5 per Cent is charged upon all sales; and Rent of 2 Rs. a wheel, per month for all Carriages standing on the Premises for sale.

**UNIVERSAL ASSURANCE SOCIETY FOR LIVES.**  
**ESTABLISHED IN LONDON AND CALCUTTA, 1834.**

CONFIRMED BY  
 SPECIAL ACT OF PARLIAMENT 6, WILLIAM IV. CHAPTER 84.

**£750,000 INVESTED CAPITAL £750,000,**  
 OF WHICH ONE-HALF IS HELD BY THE  
**INDIAN BRANCH**

LONDON OFFICE, NO. 1, KING WILLIAM STREET.

**INDIAN BRANCH.**

DIRECTORS.  
 CALCUTTA.

WILLIAM H. SMOULT, ESQ., JOHN NUTT BULLEN, ESQ., GEORGE BROWN, ESQ.  
 ALEXANDER WALKER, ESQ. AND CHARLES SWINTON HOGG, ESQ.

LOCAL DIRECTOR AT **ALLAHABAD**,—CECIL STEPHENSON, ESQ.

PHYSICIANS.  
 ALLEN WEBB, ESQ., M. D.  
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AGENCY AND SECRETARIES  
 MESSRS. BRADDON & Co.

MADRAS AGENTS. BOMBAY AGENTS.  
 MESSRS BAINBRIDGE, BYARD, GAIR & Co. MESSRS. LECKIE & Co.

THE marked success which has, for upwards of twenty-five years, attended the operations of this Society, justifies the Directors in calling the attention of the public to the *following advantages*, held out to all classes desirous of effecting Assurances on Lives.

1st. The Insured in the Society have a most satisfactory guarantee for the settlement of claims in the *large Capital of the Institution*, not merely subscribed, but actually invested, amounting to £750,000, of which one-half is held by the Indian Branch, and immediately available, being an amount greatly in excess of the Capital of any similar Society in India.

2nd. Avoiding hazardous competition the Directors of the *Universal* have adopted Tables of Premium constructed with the utmost care. The rates for India were originally prepared from the most comprehensive data, exclusively obtained by this Society from the records of the India House, and these rates have recently been carefully investigated by two of the most eminent Actuaries in London, (*viz.* Messrs. Peter Hardy and Charles Jellicoe,) and the result, after a laborious enquiry, has established the fact, that the present Indian rates are as moderate, with reference to the risk incurred, as is consistent with perfect security to the Assured, and to a Society which returns to them three-fourths of its profits.

3rd. Assurances may be effected for whole life, either on a scale entitling the assured to participate in the profits of the Society, or at a lower rate of premium without such participation. Also for short periods from one to seven years, on very moderate terms.

4th. The profits are ascertained *each year*, and declared on the second Wednesday in May, when all those insured on the profit scale, who have paid six annual premiums on their policies, are entitled to participate therein.

5th. One-fifth of the ascertained profits of the five preceding years, is divided between the Policy-holders and Shareholders,—three-fourths or *seventy-five* per cent to the former, and one-fourth to the latter. The remaining four-fifths are set apart to enter into the average of the succeeding years, and thus to provide against unforeseen contingencies.

6th. The Assured have the option of appropriating their profits to the immediate reduction of their premiums, or as a bonus to be added to the sum assured.

7th. The practice of an *annual* division “distributes the profits with more regularity and justice than any other,” and is, in many respects, preferable to triennial, or other modes of division.

8th. The first division of profits took place in 1840; the annual reduction of premium has averaged 44 per cent, and notwithstanding the extraordinary claims consequent upon the Indian mutiny, a *reduction of 40 per cent* was declared, at the last Annual General Meeting, on all Policies, entitled to participate, dated prior to the 9th May 1855.

9th. It is most important that all intending Assurers should consider well not only the rate of premium primarily charged, but also the percentage of profits actually granted (*annually* by this Office) in reduction of such premium.

# ADVERTISEMENTS.

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10th. The following is an extract of the Rates of premium for an Assurance of Company's Rupees One Thousand:—

MILITARY.													
AGE.	ONE YEAR.		THREE YEARS.		FIVE YEARS.		SEVEN YEARS.						
	Half-	Quar-	Half-	Quar-	Half-	Quar-	Half-	Quar-					
	yearly.	terly.	yearly.	terly.	yearly.	terly.	yearly.	terly.					
	Rs.-As.	Rs.-As.	Rs.-As.	Rs.-As.	Rs.-As.	Rs.-As.	Rs.-As.	Rs.-As.	Rs.-As.				
20	13	0	6	8	13	8	6	12	14	0	7	0	
30	16	0	8	0	16	0	8	0	16	8	4	17	0
40	19	8	9	12	20	0	10	0	20	0	10	0	20
50	22	8	11	4	23	0	11	8	23	8	11	12	24
													0

Intermediate Ages in Proportion.

Following is an extract of WHOLE LIFE rates.

CIVIL.									
AGE.	ONE YEAR.		THREE YEARS.		FIVE YEARS.		SEVEN YEARS.		
	Half-yearly.	Quarterly.	Half-yearly.	Quarterly.	Half-yearly.	Quarterly.	Half-yearly.	Quarterly.	
	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.
20	11 0	5 8	11 0	5 8	11 8	5 12	12 0	6 0	0
30	13 8	8 12	14 0	7 0	14 0	7 0	14 8	7 4	0
40	16 0	8 0	16 0	8 0	16 0	8 0	16 8	8 4	0
50	19 0	9 8	20 0	10 0	20 0	10 0	21 8	10 12	0

CIVIL.							
AGE.	WITH PROFITS.		WITHOUT PROFITS.		Quarterly.		Quarterly.
	Half-yearly.	Quarterly.	Half-yearly.	Quarterly.			
	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.	Rs. As.	
20	21 0	10 8	16 0	8 0	8 0	8 0	
30	24 0	12 0	19 8	9 12	9 12	9 12	
40	29 8	14 12	24 8	12 4	12 4	12 4	
50	37 0	18 8	31 0	15 8	15 8	15 8	

MILITARY OR NAVAL.									
AGE.	WITH PROFITS.		WITHOUT PROFITS.		ANNUAL ENGLISH RATES.				
	Half-yearly.	Quarterly.	Half-yearly.	Quarterly.	ANNUAL ENGLISH RATES.		ANNUAL ENGLISH RATES.		
					Rs.	As.	Rs.	As.	Rs.
20	23 8	11 12	18 0	9 0	1	18	8		
30	27 0	13 8	22 8	11 4	2	18	10		
40	31 8	15 12	26 8	13 4	3	3	0		
50	38 8	19 4	32 0	16 0	4	5	6		

11th. On the return of an Insurer to Europe, either for a temporary or permanent residence, and without reference to the state of health, subject however, to notice being given at the London Office, the Premium is reduced to the English rate, corresponding with the age when the Assurance was originally effected, and in the case of participating Policies, the profits are allowed on the English rate of Premium, whereby Indian Assurers can continue their Policies in England on most favorable terms.

12th. Military Officers holding Civil appointments are allowed to subscribe at the Civil rate of premium, on notice being given to the Agents of the Society.

13th. Premiums are payable either annually, half-yearly or quarterly, and on certain conditions monthly, and a grace of 28 days is allowed for such payments, and claims are paid should death occur within that period. Policies can be revived within three months after the premium has become due, on proof of health and payment of fine, and within six months at the discretion of the Board.

14th. Policies for the whole term of life, which have been in force for the full period of five years, will be purchased by the Society, or loans granted thereon to the extent of two-thirds of their estimated value.

15th. Medical referees are remunerated by the Society by a fee of Sixteen Rupees on proposals for assurances not under Co.'s Rs. 2,500 :—but for any less sum the fee to be settled by the applicant.

16th. At the period of the last annual Valuation, the Assets of the Society were ascertained to be upwards of £743,000. The amount of Policies in force about £2,200,000, and the annual Income upwards of £120,000.

Tables of Rates, Forms and Instructions for effecting Assurances, can be obtained on application to the Secretaries in Calcutta, or to the Local Director at Allahabad, or to any of the Agents of the Society.

BRADDON AND Co.,

CALCUTTA, NO. 14, STRAND, }  
December, 1860.

Agents and Secretaries.





